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CALENDAR
OF
VIRGINIA STATE PAPERS
AND
OTHER MANUSCRIPTS

FROM
JANUARY 1, 1808, TO DECEMBER 31, 1835;

Preserved in the Capitol, at Richmond.

ARRANGED, EDITED, AND PRINTED UNDER THE AUTHORITY AND DIRECTION

OF
H. W. FLOURNOY,
Secretary of the Commonwealth and State Librarian.

VOLUME X.

RICHMOND:
1892.

Entered according to an Act of Congress,
BY THE SECRETARY OF THE COMMONWEALTH,
For the State of Virginia in the office of the Librarian of Congress at Washington.

PRINTED IN THE UNITED STATES OF AMERICA



PREFACE.

The subjects treated of in this volume (number ten) are too numerous and varied to be comprehended in a preface, and can be best ascertained by reference to the index, which will be found to comprehend much of military, civil and political history, with the names of many who played conspicuous parts therein.

The war with Great Britain begun in 1812, and with many of its prominent incidents by land and sea, and the conspicuous actors therein, the means and the men furnished by the State of Virginia in aid of the Federal Government will be found greatly interesting.

The appointment of judges of the various courts, of Virginians to federal offices; election of United States Senators; the establishment of the University of Virginia and appointment of visitors thereto; the management of some Indian tribes; the subject of Insurrection; the nullification period and acts connected therewith; opinions on the removal of the United States deposits from the Bank of the United States; the treatment of the French refugees and their slaves imported into Norfolk, and the action of Congress thereon, with numerous other topics, will be found embraced in this volume.

Calendar of State Papers.

THOS. MATHEWS TO THE GOVERNOR.

On my arrival here on friday I learnt that the General Government had removed all obstacles to the progress of Rose. He accordingly left the British Ship Itruria yesterday morning in Palmer's packett with the determination of proceeding for George Town or Annapolis, as the wind should serve. On their arrival off Potomack, it appears that the objections started by Mr. Ronsvern that the ship he came in was not comprehended in the Proclamation of the President, and being the bearer of a Minister Extra was to be considered as entitled in every respect to all the privileges of any vessel of any other nation with whom the United States are at peace. The Gov't of the United States have so determined it. The Triumph, of seventy-four Guns, was yesterday in Lynhaven Bay. This ship, I am informed, has been in the same position for some days past, but remains without offering any offence except that of *being in our waters.*

1808.
Jan. 11

I am, &c.

The Bond of William Moseby, with his securities, as Treasurer of the Commonwealth, in the penalty of One Million of Dollars, dated January 12th, 1808, is filed.

H. DEARBORN TO THE GOVERNOR.

I have the honor in reply to your Excellency's letter of the 3rd Inst. to state that we have uniformly considered a Division as composed of two Brigades—that it was intended by the President that the twelve months' volunteers should be formed into Corps distinct from and unconnected with the other Troops and be fully organized and officered according to their respective numbers in each State.

Jan. 12,
War
Department

If by a separate organization of the 12 months' volunteers and the other volunteers and drafted men there should be from six to eight Regi-

1808.
Jan. 15,
Northamp-
ton

ments of either Corps, two Brigades and one Division may be formed, and a Major-General of each Division appointed as well as the Brigadier-Generals. It must be presumed that in Virginia there will be in any mode of organization consistent with our laws and usages from 14 to 16 Regiments, eight of which would form a full Division.

I am, &c.

NATHANIEL HOLLAND TO THE GOVERNOR.

Jan. 15,
Northamp-
ton

Recommending Peter Bowdoin as Commissioner of Wrecks for the County of Northampton in the room of George Savage, dece'd.

ALEXANDER SMYTH TO THE GOVERNOR.

Jan. 16

In pursuance of the proposition I had heretofore the honor to make to your Excellency, relative to a Regiment of Volunteers, I have the pleasure to inform you that such progress has been made therein that several commissions may now issue without any hazard of disappointment.

If agreeable to the Executive, I would prefer having commissions for every officer as an Officer of this Corps, which has taken the denomination of "*The regular Virginia Volunteers.*"

A clause may be inserted in the commissions of those who are Militia Officers (of the same rank as that now conferred) that they shall take rank as such from the date of their commissions in the Militia.

Commissions may issue for the following Officers: 1808, Jan'y 16. Alexander Symth, Colonel; Francis Smith, Major; Charles Taylor, Major; Captains, Joseph King, Alexander S. Lyle, Airam Craig, Martin Dickerson (Rifle).

Lieutenants: James Newell, Thomas Lewis, Jr., Frederick Fulkerson, James Sharp, Robert Goodson (Rifle).

Ensigns: Charles Davis, Andrew Kincannon, Cyrus Robinson, Robert Woods, Robert Ewing (Rifle).

I am, &c.

E. CARRINGTON TO THE GOVERNOR.

Jan. 27,
Richmond

Consenting to accept the office of Visitor to the Penitentiary for a reasonable time.

D. I. BURR TO THE GOVERNOR.

Solicits appointment of Purchasing Agent for the Penitentiary.

1808.
Feb. 8,
Richmond

SAM'L PARSONS AND SON TO THE GOVERNOR.

Solicit appointment as Purchasing Agent for the Penitentiary.

Feb. 8

JOHN TYLER TO THE GOVERNOR.

I find the Assembly has made a considerable alteration in the district Law, which I think a good one as far it goes, but surely equity ought to follow the law, and had another Law gone hand in hand with it for the diffusion of knowledge on easy terms throughout the State, in a short time the morals and manners of the people would be considerably improved.

Feb. 10,
Greenway

The first mentioned subject was half done because of some influential members having a monopoly in three Chancery Courts. The second is done nothing in because of the eternal war declared against the Arts and sciences and a determination to pay nothing by way of taxes to the support and encouragement of Education—the true and solid foundation of a free Government. This new system will derange me I expect in my old days, unless I am allowed to have pretensions not inferior to my Brothers.

I have been four years longer in the Judiciary than any Judge of the General Court, and 32 years in public service, so that when the allotment is made I may reasonably be allowed to expect a Convenient Circuit. I am willing to go into the Norfolk or Williamsburg Circuit, which, from every consideration, I may reasonably enough expect.

I beg you will be pleased to lay my pretensions before your Honorable Board, when it is proper to do so.

I am, &c.

P. S. I am in the Center of the Williamsburg District and convenient to the Norfolk.

J. T.

PEYTON RANDOLPH TO THE GOVERNOR.

Returning his commission as Captain of the Richmond Republican Blues, likewise the commission of Thomas Ritchie as Ensign of same on account of the reduced condition of said Company.

Feb. 19,
Richmond

CALENDAR OF STATE PAPERS.

JOHN CONNELL TO THE GOVERNOR.

1808.
Feb. 25,
Brooke
County

It is with pleasure that I have to inform your Excellency that Major McGuire, of the 1st Battalion, and 257 men (including officers), have volunteered their services under the Act of Congress of April 18th, 1806.

Captain Gardner's Troop of Cavalry have also volunteered their services under the same act.

I am, &c.

BY THE GOVERNOR OF THE COMMONWEALTH OF VIRGINIA.

A PROCLAMATION—FEBRUARY 25th.

Authorizing the acceptance of the tender made by Wade Mountfort of his house at Rich-Neck in the county of Warwick, for the purpose of holding the Courts and transacting the business of the said County, during the times required for the enlargement and repair of the Court House.

W. W. HENING TO THE GOVERNOR.

Feb. 26,
Washington

In my letter of yesterday I informed you that I had not then called on the Secretary at War—that I should wait on him to-day; and that a communication was expected from the President on the subject of our negotiations with Great Britain.

I attended at the Capitol before the usual hour of the meeting of Congress, in order to learn the result of the communication, if it were not of a confidential nature.

Of the occurrences of to-day, various opinions have been formed. The following are the facts: Very shortly after the Speaker had taken the Chair, Mr. Coles entered with a message from the President. Having learnt from a member of Congress that he was the bearer of a confidential message, I expected every moment that the Galleries would be cleared. In that instance, however, I was disappointed; altho' it was not announced as a confidential message, yet it was obviously the precursor of something of a very serious nature.

Adverting in general terms to our relations with the powers of Europe, the President recommends the immediate augmentation of our Military Force to *thirty thousand* additional Troops, viz., 24,000 volunteers of the Militia to serve from one to five years, and 6,000 regulars. After an interval of about an hour from the receipt of this communication,

another was made to both houses of Congress, which was declared to be *confidential*. The doors were now immediately closed & remained so at a late hour this evening. This last message is said to have been accompanied by communications from our Ministers at London & Paris, brought by a vessel which left London on the 27th of last month.

1808.
Feb. 26,
Washington

From the circumstance of the President's having previously recommended such an increase of our Military establishment, the presumption is that they are unfavorable to a state of peace.

Between the first and second messages of the President, I called at the War Office, but the Secretary was not to be found. His clerks supposed that he was engaged with the heads of Department at the President's House. I shall make another effort to see him to-morrow, & will endeavor, if possible, to adjust our claim, or at least to establish such principles as will leave no difficulty hereafter.

The general opinion of the *well informed* here is that we have no alternative between the continuance of the embargo and actual hostilities.

I shall endeavor if possible to ascertain the contents of the last communication to-day, & will advise you of the result. In the meantime, I pray you to make known to my brethern of the Council the simple and unadorned statement of facts with which I have furnished—and assure them that nothing but the impossibility of writing to them all has prevented me from writing to any one.

I am, &c.

WM. W. HENING TO THE GOVERNOR.

Altho' the second message of the President was communicated *confidentially* on Friday last and was read in the House of Representatives with closed doors, yet the members of Congress were at liberty to divulge its contents. In truth, owing to the defective sight of the Vice-President who did not observe the President's injunction of secrecy, the message & all the accompanying communications were read in the Senate without any restraint or ever clearing the Galleries.

Feb. 28,
Washington

These communications consisted of a very able remonstrance addressed by Mr. Pinkney to Mr. Canning on the subject of the late orders of Council of the British Government, and of a similar remonstrance from Mr. Armstrong to the French Minister of Exterior relations on the subject of the Ship *Horizon*, lately stranded on the coast of France, & whose cargo was condemned as coming within the provisions of their blockading decree.

The object of the President in wishing that the communications might not be published, was that they detailed conversations held by our ministers with those of the Government near which they were, & if publicity

1808.
Feb. 28,
Washington

were given to them it would lay a restraint on the communications of foreign Ministers which might operate injuriously on our affairs. It is said that no intimation was given to Mr. Rose of the intended orders of Council; that he was merely sent out to amuse us with an ostensible negotiation when it was the design of his Government to sweep from the the Ocean all our property afloat, and which was only prevented by the precautionary measures of embargo; and that he has no power to treat further than as relates to the affair of the Chesapeake.

These are the sentiments of well informed members of Congress, some of whom do not hesitate to say that were they President of the United States they would order Mr. Rose off in twenty-four hours. Little doubt now remains but that the negotiation is actually suspended, and will not be resumed till the British Minister shall receive further orders from his Court. Indeed this is an occurrence which might naturally be expected. The important change which has been wrought in the relations between Great Britain and the Northern powers, particularly Russia, may induce her to assume a tone less haughty than when Mr. Rose sat out on his to this country.

Yesterday I had a long conversation with the Secretary at War on the several items of our account, and the various other topics which you requested me to mention. It is impossible within the compass of a letter to detail what passed between us; the result is all that can be noticed.

From the Secretary I passed on to the Accountant, through whose office all our accounts must go. With him I ascertained the principles upon which a final settlement would be made, and I must now see the Paymaster before my business with the public offices will be closed. From all of them I learn that not a cent will be paid except the claim comes strictly within the letter of the Acts of Congress. Thus the pay-rolls & muster-rolls of the respective corps will on being duly made out & certified, be paid according to the rate of compensation allowed by Act of Congress. All charges beyond those are considered *contingencies* which may or may not be allowed by the Secretary of War. And upon what has passed between us as well as from his general character for parsimony I am inclined to believe that a number of our items will be objected to. The claim for services rendered by Brigade Inspectors & others in mustering & inspecting the requisition he observes has never been made by any State in the Union, & of course will not be allowed. No positive opinion was expressed with respect to any other item except for the horses which died in service. To any allowance for these he has strong objections. I have made a minute in writing of all the topics discussed by us, and will communicate them fully on my return.

At our first interview the Secretary made use of language respecting the conduct of the Executive of Virginia in the affair at Norfolk, which I felt it my duty to repel with firmness and with some degree of indignation.

CALENDAR OF STATE PAPERS.

This latter sensation I endeavored to suppress as much as possible, and tho' our meeting was not very propitious, we parted most excellent friends. On handing him your letter, he observed in the presence of a Senator from the State of Tennessee, that the claims of the Commonwealth of Virginia were not very strong on the General Government in consequence of the Executive's having called into actual service a portion of the Militia before they had consulted the President, and because they had retained *three* companies in service at Norfolk when they were only authorized to retain *two*. He expatiated on the consequences which might flow from the State Government's calling the Militia into the field at their own will and pleasure; thereby charging the United States with the payment of expenses which might be very unnecessarily incurred. To the first charge I replied that the Executive had merely anticipated the measures recommended by the President that the steps taken by them were precisely such as the President directed in his answer to your letter conveying intelligence of the attack upon the Chesapeake and the subsequent blockade of the port of Norfolk. That the Executive of Virginia had only exercised a constitutional and natural right in repelling the invasion of their territory and a violation of their sovereignty at the moment when it occurred; that this was a right reserved to the States by the Constitution; was one which they neither did nor could surrender, and was the last which Virginia would relinquish to any power upon earth.

1808.
Feb. 28,
Washington

With respect to the charge of our having kept up *three* companies when we were only authorized to retain *two*, I observed that he was incorrect in point of fact. That after the President had been consulted, no greater force had been employed than what was either expressly authorized by the President or came within the discretionary power delegated by him to the Executive of Virginia.

To-morrow I shall examine the carriages adopted by the General Government for the mounting of cannon which are now deposited at the Navy Yard. Perceiving that you have not as yet corresponded with the Secretary at War in relation to the best models, I shall endeavor, if possible, to obtain them. He has given me a letter of introduction to the chief architect, and has requested his immediate attention to my request.

The models approved by the General Government are a combination of whatever was deemed most useful in the modern system. From what I have learnt, I believe there will be no difficulty in procuring a supply of timber from the United States to mount all our cannon, and from the present aspect of our affairs, I believe there is not a single moment to be lost.

The Secretary at War informed me that the General Government had it in contemplation to erect immediately a fortification at Hood's, on

1808.
Feb. 28,
Washington

James River, and requested to know whether the property in the scite belonged to the State of Virginia or to individuals. On this subject I was not prepared to give him the necessary information. I could only say that I did not know, that it belonged to the State, nor could I tell to what citizen it belonged. He will address a letter to you on the subject. In the mean time, if you could collect information, it would be doing a public service.

As the original vouchers must be produced on the settlement of our accounts against the United States, it might be advisable to request the Auditor to copy them all as soon as possible. If I can close my business to-morrow I shall set out immediately for Richmond.

I am, &c.

JOSEPH LEWIS TO THE GOVERNOR.

Feb. 29,
Washington

I have had the honor to receive your Excellency's letter covering a Resolution of the General Assembly of Virginia, proposing that the Constitution of the United States shall be so amended "That the Senators in the Congress of the United States may be removed from office by the vote of a majority of the whole number of the members of the respective State Legislatures by which the said Senators have been or may be appointed;" and a copy of an act of the last Assembly, entitled "an act for the defence of the Eastern frontier of this Commonwealth."

It will always give me pleasure to contribute my aid in carrying into effect any measure sanctioned by the Legislature of Virginia conformably to my convictions of right.

The timely protection of the State must command the applause of all true Virginians, and I trust Congress will now hasten their preparations of defence, in as much as the last advices from our Ministers at London and Paris indicate that we may soon be called to defend ourselves.

I have understood that General Lee, in his quality of General in our Militia, addressed a Letter to your Excellency in the course of the past summer on the subject of defence of our State, and particularly of York River. I shall be much obliged if your Excellency will have the goodness to direct a copy of that letter to be sent to me.

I am, &c.

ROBERT SMITH TO THE GOVERNOR.

Feb. 29,
Navy
Department

I had the honor this day of receiving your letter of the 25th inst., & now enclose an order upon the Navy Agent at Norfolk to deliver to your

order the necessary timber for carriages for the Guns mentioned in your letter. I have stated to the agent that such timber will be returned by the Government of Virginia as early as may be practicable.

1808.
Feb. 29,
Navy
Department

I am, &c.

WM. W. HENING TO THE GOVERNOR.

It was my intention to have left this place to-day on my return to Richmond, but I found it impossible to arrange all my business at the public offices till it was too late. March 1,
Washington

In the morning I expect to set out so as to reach home on Friday night. Every thing which could be done by me in relation to our account against the United States has been effected. Yesterday I visited the *Point* at which all the United States Artillery is mounted. The Architect demanded \$120 for a model and drawing of a carriage for a field piece.

Believing that an expense of this kind was not contemplated when the Executive advised me to procure proper models before any contract should be entered into, and firmly impressed with a conviction that we have not a moment to lose, I have undertaken at my own responsibility to obtain from the Secretary at War the loan of any field piece which we may require now lying at Norfolk, and which were made upon the very model for which such a sum was demanded. The carriages can be brought up with the timber, which the Secretary of the Navy assures me was lent with great pleasure, and on which subject he has advised you.

I have also obtained from the Secretary at War two volumes of plates, &c., &c., on the construction of field Artillery on the new French Model. All these things combined will give us a more accurate idea of the subject than any thing which could be collected from a written correspondence.

As it certainly will be important to act upon several communications which I shall make, I could wish that the members of the Council would consent to meet on Saturday. It was very much my wish to have gotten to Richmond on Thursday night, but such is the difficulty of doing business in the public offices, that I never could complete mine till to-day.

I am, &c.

David I. Burr's Bond as Agent for the Penitentiary in the penalty of Fifteen Thousand Dollars, dated March 1, 1808, is filed.

 WM. SHARP TO THE GOVERNOR.

1808.
March 3,
Norfolk Asking permission to have the new Arms held by the 54th Regiment *properly proved* before any further use is made of them.

 LEMUEL CORNICK TO THE GOVERNOR.

March 12,
Princess
Anne Recommending Thos. Cornick as commissioner of Wrecks in Princess Anne County in room of Wm. White, dec'd.

 THOS. JEFFERSON (PRESIDENT OF THE UNITED STATES) TO THE GOVERNOR.

March 13,
Washington I received last night your favor of the 10th. There can certainly be no present objection to the forwarding the letters therein mentioned according to their address.

We have nothing new of importance except that at the last reading of an amendatory bill a few days ago, the H. of R. were surprised into the insertion of an insidious clause permitting any merchant having property abroad, on proving it to the Executive, to send a ship for it. We are already overwhelmed with applications, and there is real danger that the great objects of the Embargo in keeping our Ships & Steamers out of harm's way will be defeated and every vessel and seaman sent out under this pretext and placed in the prise of the belligerent tyrants. I salute you with friendship and respect.

 HANCOCK EUSTACE TO THE GOVERNOR.

March 19 Reporting the amount of Tobacco due to the Commonwealth by the Tenants on the Bristoe Tract of land in Prince William for the year 1806 to be 26,200 lbs., and asking instructions as to its collection.

 HENRY LEE (MAJOR-GENERAL) TO THE GOVERNOR.

March 20,
Alexandria Mr. Lewis lately sent me your Excellency's Letter committed to his care. I thank you, Sir, for your polite attention to the claims of my Aids, and will, as soon as I return, transmit the requisite documents.

The negotiation at Washington, so long the object of National Solitude, is off.

Mr. R. will return *re infecta*. The obstacle which proved insurmount-

able commenced at the threshold of the negotiation—namely, that the King of G. B. having disavowed the act of his Admiral, the proclamation thereupon must be revoked, after which complete reparation would be made. Mr. Madison offered to revoke the proclamation and receive the reparation, dating the two acts on the same day, but this attempt to accommodate was not deemed admissible.

1808.
March 20,
Alexandria

I lament from my heart that the negotiation did not succeed, yet I trust war will not follow.

Permit me to ask your Excellency to give to the enclosure safe conveyance by some private opportunity.

I am, &c.

A. LEWIS TO THE GOVERNOR.

I hope in case a war with any power, and it is necessary to raise Troops, you will, if you think me a proper person, remember my early application to you. A war cannot be the wish of any friend to his country, but if we should be driven into that measure, I feel a strong desire to bear my part in the struggle.

March 20

I am, &c.

R. CORBIN TO THE GOVERNOR.

The Field Piece which the Company I have the honor to command promised to furnish themselves, has just got to hand—viz., a double fortified brass 3-Pounder, with its carriage, Limbers, &c., compleat, the whole perfectly new and remarkably strong. Having done so much for themselves, they now thro' me earnestly request that his Excellency the Governor and the Hon. Council will please to direct that they be immediately furnished with proper swords; and this solicitation, Sir, I beg you will urge in the name of the Company with that delicacy and zeal which you think their patriotism merits. Regardless of the consideration that the services of the company have been accepted, perhaps there is not a district of country in the whole State that it would be more proper to arm agreeable to the Law passed the last session of Assembly.

March 20,
Laneville

Your friendly attention to my former letter on this subject induces me to hope that I shall soon receive an answer to this.

In the mean time, I remain,

Yours, &c.

J. GRIGSBY, WM. MORROW, AND LINAH MINS, TO THE GOVERNOR.

1808.
March 28,
Lewisburg

Recommending Charles Arbuckle as Superintendent of the Kanawha Road.

J. GRIGSBY, ANDREW BIERNE, AND CH. SIMON, COM'RS, TO THE GOVERNOR.

March 31,
Lewisburg

The undersigned Commissioners appointed by "an act concerning the Road from the upper navigation of Kanawha River to the Upper navigation of the James River," passed January 5th, 1808, after having taken the oath prescribed by said Law, have passed over and examined the two routes heretofore explored, from the house late Hugh Balentines to the Kanawha River, to-wit, the Road through the Loop, and the Peters creek Road, and have come to the following resolution thereupon,

Resolved, unanimously, as the opinion of the Commissioners that the two thousand dollars appropriated by said act shall be expended upon the Loop Road.

JAMES SEMPLE TO THE GOVERNOR.

April 2,
Williamsburg

Asking that a commission of Captain in a company of Light Infantry raised in James City county, to which he has been elected, be sent him. Likewise soliciting arms for said Company.

H. DEARBORN (SECRETARY WAR) TO THE GOVERNOR.

April 4,
War
Department

I have delayed an answer to your Excellency's letter of the 28th ult., from a wish to have a conversation with Mr. Foxall, in relation to the difference that ought to be made between the pieces of old brass cannon to be cast over and that of new field pieces, but altho' I have twice visited his foundry for the purpose, I have not been able to see him.

The difference cannot, I presume, be less than twenty cents per pound. One of your old 32 pounders will probably weigh about 6,000 lbs., if so, for one of them we could afford to give you four six pounders and one twelve pounder or thereabouts. We would probably furnish you with two twelves and four sixes on the receipt of the six old cannon, and the others as soon as they could be cast from the old pieces. The United States have no 4-pounders cast, they are not considered useful pieces. Six pounders weigh but 6 cwt., and the twelves 12 cwt.

I have requested Dr. Shore to endeavor to close a bargain for the point at Hoods, and I hope he will be able to do it on reasonable terms.

Yours, &c.

JOHN DARBY TO THE GOVERNOR.

Renewing the tender of service of his artillery company raised in Richmond County, made first on December 4, 1807.

1808.
April 2,
Middlesex

JAMES MADISON (SECRETARY STATE) TO THE GOVERNOR.

Transmitting 1254 copies of the Laws of the United States, 2nd Session, 9th Congress, the proportion of the State of Virginia.

April 9,
Department
of State

JOHN CLARKE TO THE GOVERNOR.

Advising that the Machinery for the Boring works for the Foundery at the Va. Manufactory of arms be procured from Foxall, of George Town, as early as possible.

April 13,
Va. Man.
Arms

HANCOCK EUSTACE TO THE GOVERNOR.

In answer to your letter bearing date the 1st of April, I have to inform you I have received from the Tenants 30,700 lbs. Tobacco. The highest price offered is 16-6 pr. hundred. The Tenants are owing a good deal of Tobacco—some of them more than I can distress for; I therefore wish to know if it is the wish of the Executive for me to make general distress amongst the Tenants and those owing more than 5 years' rents to have suits instituted against them for their several balances. My predecessor recovered from the Executor of Bullett a considerable quantity of Tob'o as a balance due by him as the former agent; also from the Executor of William Carr 21,515 lbs. Tob'o. I will ascertain from the Executor of Bullett the precise quantity paid by him, and will advise you thereof in a short time.

April 15

I am, &c.

JOHN SHORE TO THE GOVERNOR.

I had the honor to receive your letter of the first instant, and have now the pleasure to inform you that I have concluded the purchase of the site at Hood's at one thousand dollars in conformity to the instructions of the Secretary of War.

April 17,
Petersburg

From five to eight hundred dollars were first offered, but the Proprie-

1808.
April 17,
Petersburg

tors remained inflexible. The title is indisputable. Ten acres, including the Old Fort, will be laid off by the County Surveyor to-morrow, and the deed of conveyance made to the United States and recorded in the District Court now in session here.

The Secretary of War writes me that as soon as the agent, Capt. John Batte, notifies his acceptance of the appointment, he should remit five thousand dollars to commence the purchase of materials, &c.

I am, &c.

W. W. HENING TO THE GOVERNOR.

April 19,
Washington

I have this moment enclosed to Gen'l Moseley a Draft on the U. S. Bank at Norfolk for Three Thousand five hundred dollars. This sum is on account of the pay of the Troops, which I have experienced much difficulty in getting passed in as much as there were no *muster rolls* accompanying the pay-rolls, and the rules of the office require muster-rolls in all cases. Our other claims are in a train of adjustment, but they are so incomplete and so little conform to the rules adopted in the accountant's office, that I am obliged to explain every item by my own recollection of the circumstances which occurred previously to passing the account by the Executive.

Unless some member of the Executive had attended with the President's original letters, and who could explain the various items of the accounts which were paid by us, I am perfectly satisfied that we could not have passed our claims to the amount of One hundred Dollars.

I am, &c.

GOVAS STORS TO THE GOVERNOR.

April 20

Recommends Samuel Carter as a Turnkey at the Penitentiary.

ABM. DOUGLASS TO THE GOVERNOR.

April 22,
Richmond

Informing of his appointment of Samuel Carter as Deputy Keeper at the Penitentiary in consequence of the resignation of Wm. H. Quarles.

WM. W. HENING TO THE GOVERNOR.

April 23,
Washington

If the Executive have taken no order in relation to the whiskey and other military stores purchased for the expedition to Norfolk, it will be proper to let the subject remain *in statu quo*. I have this day got the

accounts for those items passed thro' one department, and hope I shall ultimately succeed. It will be better for the United States to pay for them at the enormous prices at which they were purchased than those articles should remain the property of the State.

1808.
April 23,
Washington

I am, &c.

WM. W. HENING TO THE GOVERNOR.

By the last mail I remitted to Gen'l Moseley seven thousand two hundred and ninety-two dollars and forty-two cents, which sum I deposited in the Bank of Columbia and took a check on the Bank of Virginia for the amount. These Banks having mutual dealings, I preferred this as the safest and most expeditions mode of remittance.

April 27,
Washington

I send him to-day a Draft for the further sum of two thousand eight hundred and sixty-four dollars and ninety-seven cents, making in the whole the sum of thirteen thousand six hundred and fifty-seven dollars and thirty-nine cents remitted by me from this place.

Finding that our claims began to press sorely on the Treasury of the United States, the accounting officers of the War Department have started an objection to a final settlement till they have returns from Norfolk.

They say that as we have no regular subsistence account or provision returns for the detachments of Militia at Richmond, Petersburg, Williamsburg, &c., while at their rendezvous or on their march to and from Norfolk, and as all the troops need rations from the contractors at that place, it is impossible to tell, until his accounts shall be settled, whether the advances made by the State of Virginia for provisions, &c., are such as might be deemed reasonable or not. I endeavored to repel these objections by arguments which satisfied my own mind, and would have satisfied any person not disposed to withhold payment at all events. The truth is, they do not wish to part with the money at present, but say they will resume the settlement of the accounts as soon as they receive returns from Norfolk, or if I will stay *three weeks* they will settle them on the principles which I contend for. The consequence of this difficulty will be that all our claims for provisions, &c., will remain suspended. But it is that branch of our claims, which, above all others, I should wish to remain unsettled because it involves principles the least doubtful.

Several other items of our account, must, for the present, remain suspended, the vouchers not being sufficient even in my own opinion. I therefore did not press them. In some instances the Auditor has furnished merely the advice of Council directing a sum of money to be paid without any account accompanying it showing for what object it

1808.
April 27,
Washington

was advanced. These claims are all left open for such further vouchers as we may be able to procure. In most cases I know they are attainable.

If I cannot during this day produce a change in the prospect of a final settlement, I shall immediately return to Richmond. As long as I had the business in a train of adjustment, I thought it my duty to remain, especially as my explanations were necessary at every stage.

I am, &c.

ROB'T PORTERFIELD TO THE GOVERNOR.

April 28,
Augusta

Expressing satisfaction that the Board had determined to compensate the Brigade Inspectors for extra services. Also his approval of the description of a Rifle proposed to be adopted for a portion of the Militia. Recommending the greater manufacture of these arms, and the encouragement of Cavalry as an arm of the Service.

HENRY FOXALL TO THE GOVERNOR.

April 29,
Columbia
Foundry

Submitting a proposition to manufacture and put up all the Machinery for making cannon at the Va. Manufactory, and send hands to put up the Machinery at his own expence. This work to be strictly confined to the Machinery, for the sum of Five Thousand Dollars.

EPES SPAIN (CAPTAIN) TO THE GOVERNOR.

June 4,
Dinwiddie
County

Tendering service of the Rifle company, commanded by him, to the Government under the act of the 18th of April, 1806, to march at a moment's warning.

JOHN TRUMBULL TO THE GOVERNOR.

June 10,
Lebanon

Enclosing Resolutions of the Legislature of Connecticut opposing the action of the Legislature of Virginia in regard to changes in the Constitution of the United States.

JAMES MENG TO THE GOVERNOR.

June 14,
Prince
Edward

Asking leave to resign his commission as Captain in the first Regiment of Artillery, purposing to remove to the South.

JOHN CLARKE TO THE GOVERNOR.

Suggesting changes in the proposals of Mr. Foxall for the erection of Machinery at the Armory for the manufacture of cannon, by which three cannon instead of four could be bored at the same time.

1808.
June 15

JAMES FAULKNER TO THE GOVERNOR.

I take the liberty of writing to you once more on the subject of Arming my company. Since I had the honor of receiving your last letter, there has been a Law passed by the Congress of the United States appropriating a sum of money for the Arming of the Militia generally under the directions of the Governors of the different States, and as it appears to me that Arms might be obtained at this time by you under that Law, if so, I flatter myself that your Excellency will feel a desire in gratifying men who at the first alarm made a voluntary offer of their services for one year under the Law of February, 1807, and are anxious to learn their discipline that they may be of use to their country in case of a call, which discipline Artillerists cannot acquire without necessary Arms.

June 15,
Martinsburg

I am, &c.

SAMUEL G. ADAMS TO COLONEL GEORGE W. SMITH.

I have obtained from the Proprietors the use of the water from four Springs on Shockhoe Hill for the purpose of watering, by means of Pipes sunk so low as to keep the water perfectly cool, that part of the Town between Mr. Graham's Lott on the Main Street and the Market Bridge, but am apprehensive that these Springs will not be sufficient. Could I procure the use of the water from the two at the Capitol, I think there would be little doubt of having a sufficient quantity. Will you be good enough to mention it to the Governor and Council of State, and know of them if their consent can be obtained, that I may have the use of the surplus water from the two springs after supplying the Capitol and Barracks; and if I shall enter into Bond and security to erect and keep in repair, so long as I may wish to use the water from said Springs, a Reservoir, to be water Proof, on the publick Lands between the Capitol and Bank of Virginia, to be used in case of Fire for either of those Buildings, whether they will suffer me to make use of the stone, &c., which forms the present Reservoirs. The one to be erected to be at least twenty feet square.

June 25,
Richmond

I am, &c.

ROBERT B. HUNNICUT TO THE GOVERNOR.

1808.
June 28,
Surry

Returning his commission as 1st Lieut. of the Troop of Cavalry of Surry.

JAMES BANKHEAD TO THE GOVERNOR.

July 1,
Port Royall

Returning commission as Captain of Light Infantry in Caroline, having accepted a commission in the United States Army.

GABRIEL SMITHERS TO THE GOVERNOR.

July 1,
Culpeper

Proposing to manufacture Rifles at \$15 each. Also soliciting leave to have made a carriage for a 4-pound Gun bought by him for his Artillery company, a supply of swords and a Drum and Fife for same.

HUGH MERCER TO THE GOVERNOR.

July 5,
Fredericksburg

The Artillery Company of this Place, under the command of Capt. Robert Lewis, I have much satisfaction in informing you, bids fair to be a valuable Corps. The Officers and men already enlisted, evince the most laudable zeal in the discharge of their Duty. I feel assured that so soon as the Gun Carriage, Muskets and side arms are received, that Captain Lewis (a most respectable and well qualified officer,) will complete immediately a Company which will do credit to the State by an active and regular attention to Duty. The object of this letter is to request that the Executive would send on as soon as practicable the arms and accoutrements intended for this Company.

Permit me to suggest to you that Mr. Ryland Randolph, with whom you are probably acquainted, is placed in a situation in Richmond which would enable him (if requested,) to give the earliest information of any vessel bound for our Town, wherein those accoutrements could be safely conveyed.

Be pleased to offer my friendly Regards to Mr. Wirt.

I am, &c.

ABM. DOUGLASS TO THE GOVERNOR.

July 13

In reply to your note of this morning, I inform you that the manufactured articles on hand at the Penitentiary for sale, will amount to \$16,000, and those at the Agent's Store to at least \$3,000.

The agent for the 3 months ending the 1st day of June last, sold Articles to the amount of \$3,500 or thereabouts; the articles manufactured for the same period for sale amounted to upwards of \$8,000.

1808.
July 13

I should imagine that if an Agent was appointed at Lynchburg, one at Petersburg, and one at Fredericksburg, they would not be more than sufficient during these times, to dispose of the surplus Articles that can not be sold here.

I am, &c.

CHARLES ARBUCKLE TO THE GOVERNOR.

I rec'd your favor of the 8th of last month, requesting me to certify whether Thomas Wilson's precinct of the State Road leading from the Upper Navigation of Kanawha, &c., was compleated agreeable to contract. I have not seen the contract, nor had satisfactory information respecting it; therefore would prefer a copy of the contract before I give my opinion fully on the subject.

July 16,
Greenbrier
C. H.

I have let the repairing of the State road in three precincts to be compleated by the first of November for the following sums: The first beginning at Loop Creek Shoals (which is said to be the upper point of navigation on Kanawha) to the top of New River ridge or Clift, for six hundred dollars. The second from thence to John Huff's, on Suel Mountain, Including the Clifts on each side of New River for Five hundred and ninety dollars, and the third from the top of Suel Mountain to Christian Percy's (formerly Hugh Ballentine's) for Five Hundred Dollars. The whole amount—sixteen hundred and ninety dollars—which is to be paid in one month after the completion thereof.

The undertakers, which are Peter Boyer, the first and third, and Samuel Fleshman, the second precinct, are now at work. You will please to say whether you wish to have a copy of the Contracts forwarded, as they contain a full description of the manner in which the work is to be done, lengthy, which renders it inconvenient to forward them at this time.

I am, &c.

COLIN BUCKNER TO THE GOVERNOR.

Returning his commission as Lieut. in a Volunteer Company, having accepted an appointment in the U. S. army.

July 19,
Port Royall

DAVID TROKES, &C. TO THE GOVERNOR.

1808.
July 21,
Petersburg

Accepting appointment as agent for the sale of articles manufactured at the Penitentiary. Enclosing Bond as agent.

SAMUEL COLEMAN TO THE GOVERNOR.

July 21,
Richmond

Informing of the death of Robert Garrant and recommending John Woodson Pleasants to fill the vacancy occasioned thereby as clerk to the Executive.

THOMAS S. JOHNSTON TO THE GOVERNOR.

July 25,
Fredericks-
burg

Accepting appointment as Agent for the sale of articles manufactured at the Penitentiary. Enclosing Bond.

JOHN CLARKE AND ALEXANDER QUARRIER TO THE GOVERNOR.

August 5,
Richmond

In compliance with the request communicated in your letter of 25th Ult., we yesterday made a partial examination of the present condition of the Capitol, and have to state, that altho' that edifice requires considerable repairs in many parts to preserve it from ruin, yet the following appears to us more immediately to require it. We discover considerable leaks in the roof where the chimneys pass through it which admit rain water, &c., to descend into the brick work & greatly injure the walls as well as the timbers of the building; the bad effects of these leaks may be traced from the roof to the ground. The sash of the Sky-light in the roof requires a small repair to prevent it from leaking. There is also considerable leakage over the two windows in the Office of the Chancery Court at the Southwest corner thereof which is owing to the pavement over those windows having been taken up and removed, which now admits rain water to pass down through the brick work into said office. This will require a repair of the pavement and new cement in the joints thereof over those windows. There is also a leak over one of the windows of the Office of the General Court (below stairs) which requires repair. Some small repairs are also requisite for a window in the entry leading into the Auditor's Office, and also for a window in the South east corner of the said office.

To preserve the glass of the windows between the court-room and the Portico we recommend that those windows should be furnished with

shutters. It is impossible to form an estimate of the expence of repairing the parts which leak, as the extent of the work cannot be known until the part is laid open.

1808.
August 5,
Richmond

We are, &c.

THOMAS WIATT TO THE GOVERNOR.

Accepting appointment as agent for the sale of articles manufactured at the Penitentiary and enclosing Bond.

August 13,
Lynchburg

RICHARD CORBIN TO THE GOVERNOR.

Enclosing a Return of his Company of Artillery of the 4th Regiment, 4th Division, Va. Militia, which is on file.

August 14,
Laneville

RICHARD E. PARKER TO THE GOVERNOR.

Accepting appointment as one of the commissioners to superintend the Election of Electors to choose a President and Vice-President.

August 15,
Westmoreland

Also informing of the arrival of Cavalry arms for his County.

C. SMITH, COLONEL 25TH REGIMENT, TO THE GOVERNOR.

Informing of repairs done on the arms held by his Regiment, and forwarding list of muskets, cartridge boxes, and bayonets of same.

August 22,
King George

D. I. BURR TO THE GOVERNOR.

Being informed that it is contemplated by the Executive to provide a further compensation to the Agent for the Penitentiary at Richmond, in consideration of the executive duty devolving upon him of purchasing all the materials of manufacture, &c., both for public service and supplying the several Agencies lately appointed, I trust it will not be deemed intrusion to offer the following statement which may serve to show the profits accruing from the Agency as now established.

August 30,
Richmond

An estimate thereof may be fairly drawn from the accounts of the Quarter ending with May last, and is confirmed by the experience of the Quarter with this month.

1808.
August 30,
Richmond

The Agents' commissions on sales made in the quarter ending with the month of May last amounted to - - - - \$181 63
Equal to, - - - - - \$726 52 pr. a.

The expenses of the agency are :
Rent of half store-room @ \$200 p. an., - - \$100
Do. one ware-room for shoes, - - - 50
Do. one do. for nails, - - - 30
One assistant required for selling and keeping
account of sales, - - - - 360
Drayage, &c., from Penitentiary was last quarter
\$20 08, equal to, - - - - 80 32—620 32

Leaving a balance in favor of Agency of, - \$106 20 pr. an.

The appointment of other Agents must affect the sales at this place in considerable degree (thereby lessening the commissions), in as much as the goods that would be sold from this to the other towns and their vicinities will now be taken from their respective agencies.

I am, &c.

JOHN ELLIS AND H. WARDEN TO THE GOVERNOR.

Sept. 4,
Gunpowder
Works

We have established at great risk and expence a Gunpowder Manu-
factory within two miles of the city of Richmond.

We have on hand a considerable quantity of powder of every descrip-
tion, which we can confidently recommend to be of good quality, sam-
ples of which we have taken the liberty of sending to your Excellency

Saltpetre, 75 lbs. of which we are obliged to put to every 100 lbs. of
good powder, has risen within a few months from 17 to 30 cents in the
lb., and is a cash article.

We have as yet sold very little powder; have exhausted our funds in
paying rent, hands hire, repairs to works, in the purchase of Saltpetre
and a number of other articles necessary for our business, and for want
of money are unable to progress with our operations.

Should our country be disposed to encourage this young establish-
ment for making powder, so near and convenient to the seat of Govern-
ment, by advancing to the partners as much money as may be safe to
lay out in that article for one year, the partners will oblige themselves
to deliver powder in small or large quantities fresh from their work
when required by the Executive—by which one of the most valuable
institutions of their country will be nursed in its infancy, and the Man-
agers ever bound to respect and esteem the friends and benefactors of
their well-intended exertions. A submission of this Statement to the
consideration of the Executive will greatly oblige,

Y^rs, &c.

JAMES FAULKNER TO THE GOVERNOR.

Agreable to your Excellency's directions of the 28th July, I forwarded a return roll of the strength of my company on the 17th Ultimo, and as our Regimental muster is on the 20th of next month, I take the liberty of suggesting to your Excellency that if the swords for the use of my company are shipped from Richmond any time the beginning of October for Baltimore or Alexandria, I will send a wagon down to either place to wait their arrival, in order that we may have them to parade with on that day. Please let me know by the bearer, Mr. Collins, who is Deputy Sheriff of this county.

1808.
Sept. 24,
Martinsburg

I am, &c.

R. ROBERTSON TO THE GOVERNOR.

The painful duty has devolved on me of announcing to the Executive the Melancholy circumstance of General Moseley's death.

October 4

I am, &c.

HENRY BLOW, WM. BLOW, SAM'L BLUNT, TRUSTEES NOTTOWAY
TRIBE INDIANS TO THE GOVERNOR.

The law which directed the sale of the lands belonging to the Nottoway Tribe of Indians in the year 1792 or 1793, also directed the then Trustees to lay out the proceeds of the said sale in certificates which drew six per centum interest, from the difficulty of obtaining the certificates, as we have been informed, the money was not laid out as directed. The Trustees lent to John Wright a certain sum for which he became bound in six per centum certificates, and makes the sum of £451.6.8 the amount stated to be due from him in our report. He has been uniformly punctual in the payment of the interest, and complains to us of the hardships of having the money forced from him in the present difficult time. In reply to him we promised to lay the case before your Excellency, and to be governed by your direction concerning it. We would be thankful to hear from you on this subject when convenient. It is now the most favorable season of the year for surveying the Indian lands, and nothing prevents us from entering on the business but the want of direction about the term of the leases, the limited quantity of acres to be contained in a lease, and proper forms to act by.

October 8,
Southampton

We are, &c.

£451.6.8 the am't in certificates.

NATHANIEL POPE TO THE GOVERNOR.

1808.
October 16,
Richmond

I received by Express on the 12th Inst. a letter from Mr. Samuel Coleman, one of the Clerks of Council, written by your direction, announcing my appointment by your Honorable Board to the office of Treasurer of the State.

This distinguished Mark of their approbation of, and confidence in me, which I shall ever hold in grateful recollection, cannot but afford me the highest gratification, but as I am persuaded that the sacrifice of my health would be the consequence of my permanent residence in Richmond, and as *I know* that a great many others better qualified to discharge the duties of that important office may be easily selected, I must decline the acceptance of the appointment.

I am, &c.

ARTHUR EMMERSON TO THE GOVERNOR.

October 20,
Portsmouth

Informing that he had purchased for the Artillery Company, of which he was Captain, 2 Brass Guns measuring forty-three inches, carrying a four pound shot, asking that the same may be mounted at the public expense.

Also asking that his company be allowed to wear a uniform which they had furnished themselves before knowing that prescribed by the Proclamation.

JOHN COALTER TO THE GOVERNOR.

October 27,
Staunton

Two weeks ago I received a Letter from Alexander McRea, Esqr., acting in your absence, giving information that the Executive in Council had requested me in my professional character to inquire into a fact which it seems had been alledged—That General Porterfield was concerned in preparing & that he subscribed the address to the President of the United States which lately appeared in the public prints, & which was proposed to the citizens of Augusta for adoption, and that if I should ascertain that he had in any respect an agency in preparing or in promoting the adoption of the address, that I should establish the fact so ascertained by regular affidavits & transmit them without delay to the Executive.

The letter containing this information should have been answered immediately but for the arrangement in the mail which leaves this place the day before its arrival from Richmond, and the week succeeding the

receipt of the Letter I was attending Rockingham Court, so that this is the first opportunity I have had of answering it.

1808.
October 27,
Staunton

As to the facts relative to which I am requested to make an enquiry, I have but little information to give.

I was at Charlottesville District Court at the time of the meeting on the 17th of September. Before that time a meeting of the citizens of Augusta county on that day had been requested by advertisement & I have been told that from 130 to 150 met at the Court-house. That General Potterfield was called to the chair, & after stating the objects of the meeting as published, a committee was appointed to draft an address, &c. That on the address & resolutions being reported, a motion to have them published for the consideration of the people was carried by a small majority, and that General Porterfield, as chairman, certified the proceedings of the meeting; the address & resolutions I understand were signed by the Committee but do not understand that they were signed by General Porterfield.

As to his agency in preparing them I am told that on the morning of the 7th ulto. & shortly before the meeting he declared himself ignorant of the object of the meeting, but that during this conversation he was told that his attendance was requested at Chamber's Tavern & that he there saw the address & resolutions which had before been prepared by Mr. Carter Beverley. I have had no conversation with General Porterfield on the subject & therefore know not from himself whether he approves of the address or not, nor do I know that he has promoted their adoption. Having been told that he had some time ago expressed his approbation of the embargo Law I supposed he could not approve of so warm a denunciation of that measure; however, I have been lately informed that he says he is not pleased with the language of the address & resolutions, tho' he approves the sentiments.

These are all reports. I have thought it of dangerous tendency & improper to — into the private walks of General Porterfield & to enquire either from his political friends or enemies what have been his private declarations & conduct.

I merely state what I have casually heard in conversation without enquiry, and from what I have heard in that way I am unable to discover what would be the result of a particular enquiry, had I power and inclination to call on witnesses to depose to their knowledge on this subject.

As to this mode of enquiry, I must beg leave to decline entering upon it. It will be well known that this does not proceed from any want of deference and respect for the Executive of the State or zeal for the public service. On the contrary, I will give a few reasons which have induced this determination, and tho' they may be incorrect, yet were I to act contrary to my own convictions of propriety I could not feel easy, however respectable the authority under whose opinions I had acted.

1808.
October 27,
Staunton

I unite with the Executive, and I believe an almost unanimous country, in deep regret that at this time any portion of the people, and especially my intimate friends and neighbors, should entertain and deem it necessary to express such opinions of our National Government as those contained in the address and resolutions referred to; yet if such are their *honest* opinions, ought they to conceal them or ought their patriotism and love of country to be drawn in question on that ground?

If for party purposes they express sentiments which they themselves do not believe, we can only endeavour to detect the fraud and expose them to those whom they wish to deceive; but if they really believe the Government to be corrupt, it is surely their right to say so. This is a sacred right I have always contended for, and have ever deemed its exercise compatible with true patriotism and love of country.

We are making a great experiment in political science, in which this right is a grand feature. How it will eventuate—whether the full exercise thereof as established by our constitution, by legalizing unfounded calumny against the Government, leaving it to the virtue and good sense of the people to correct that abuse of this great privilege, will place us in a worse situation than we would be were we to be held to answer for our opinions at the Bar of that Government whose acts we denounced, the final result of the experiment will discover.

But as far as I can judge from what is past, I think a full and free exercise of opinion and expression as to public measures and public men in their *public functions* ought to be considered sacred. Nor do I believe that as it relates to foreign nations ought the confidence between man and man and between one portion of the people and another to be destroyed or diminished because of a difference in opinion as to men or measures *at home*. Where we have good reason to believe that the opinion is not honest but propagated for party purposes, then our confidence ought to cease in that man as an honest politician.

When the opinion is honest but we believe it to be incorrect, that man as a politician, on that ground, ought not to be trusted. The facts of honesty or mistake in opinion are questions on which no legal tribunal can act; each man must act and judge for himself. This doctrine I feel the more because the tumults originally excited in my veins does not cease to ebb and flow whenever I have cause to recollect the time when the governing party, who were suspected by the Democrats, or some of them, for wishing to unite us too closely with Great Britain at the expense of a war with France, in turn denounced them as disorganizers and friends of France, and unworthy to hold commissions in the provisional army about to be raised to oppose that power. I believe no man who then opposed the measures of Government from a conviction of improper motives and wishes in our Government as to our foreign relations, felt that he was less a friend to his country than those in

power, or less willing to support the laws until a Constitutional change should take place.

1808.
October 27,
Staunton

I have long known the chairman and a number of the committee, also a number of men who voted in support of the address and resolutions, and believe they would be as far from knowingly opposing Government in an improper way as any people, and that in case of war with any nation, they would be as true friends to their country as any. In case that war, that greatest scourge, should befall our nation, I should deprecate any distinctions or exclusions from the ranks on the score of political sentiment. The sin of turning enemies to our Country and Loves to each other because of a difference in opinion as to men and measures ought to be considered as *the sin against nature*, one of which no man could be capable until damning proof should strike him at once from the list of human beings. I religiously believe no such sin will be committed by any man in the County of Augusta. I can give no apology for thus trespassing on the Executive. Our Court is now sitting; I have been compelled to let my pen run, and have not time to revise and curtail. They will be assured of my friendship and that I feel myself in the hands of friends when I submit to them so hasty a scrawl. I deemed it necessary to write by this mail.

I am, &c.

EDW'D CARRINGTON AND W. FOSHEE TO CHAS. BEALL, JOSEPH GRIGSBY, JABEZ LEFTWICH, DANIEL COUCH, AND CHAS. DAVIS, ESQUIRES, COMMISSIONERS.

Having accomplished the view from Crow's Ferry to the great falls at West Ham, and from thence down to this place, which commenced on the 17th Inst., at a season which we consider to have been so dry as to leave the river in a State lower than ought to be called common dry season, and by which you have been enabled to judge of the improvements made on the bed of the river by the James River Company, as enjoined on them by the Acts of the Legislature, beg leave to suggest that we think the public interest, as well as justice to individuals, will be more probably effected by a full statement from you on the following points:

October 27,
Richmond

1. That it was considered by you that the river was in a state sufficiently low and clear for the view.

2. That much work and labor have been expended on the bed of the river from Crow's Ferry to this place.

3. That the trial boat drawing the depth of water required by Law passed through the whole improvement without being obliged to take out any part of the lading, except at Plane above the mountain, and

1808.
October 27,
Richmond

then only some of the people on board stepped out for a few minutes at one place.

4. That altho' there were some occasional hangs as above, they have been considered generally as arising more from the crookedness of the Sluices formed by dams and wing-walls to confine the water to the legal depth than from want of water in the Sluices, and this principally above the mountains.

5. That from Lynchburg down the improvements have been more effectual, and that loads much heavier than can be transported in Boat drawing no more than the depth required by the law, were found going to Richmond from this and various other points on the river.

6. That the improvements necessary for low-water navigation appear to hazard the transportation of produce in the increased rise of water until it gets to a certain height, and thereby may endanger as well as impede in some degree the navigation at times when it would be more beneficial than in the lowest state of the river; that this observation applies more particularly to the river above the mountain, and is a subject which it is conceived was not sufficiently understood or contemplated either by the Legislature at the time of passing the charter or the individuals who formed the Company.

We conceive, Gentlemen, that the public interest will be promoted when objections arise in your minds, if any such there be, to the present state of improvement by specific statements on each place—the errors which you think have been committed and the mode of improvement which will in your judgment be most beneficial at such place.

Indeed, Gentlemen, if you will be so good as to give all the information on this important subject which the view just made may have enabled you to collect, altho' some of its details may exceed what you may think necessary in the certificate, it will not only be of public utility but highly gratifying to us who as agents of the James River Company

Are yours, &c.

H. DEARBORN TO THE GOVERNOR.

October 29,
War
Department

The President of the United States, by virtue of an Act of Congress passed on the 30th day of March, 1808, entitled "An act authorizing detachment from the Militia of the United States," has directed me to call upon the Executives of the several States and Territories, to take effectual measures to organize, arm, and equip according to Law, and hold in readiness to march at a moment's warning, their respective proportions of one hundred thousand militia, officers included. This, therefore, is to require of your Excellency to take effectual measures for having Ten thousand one hundred and Ninety Eight of the Militia of Vi

ginia (being her quota), detached and duly organized into Companies, Battalions, Regiments, Brigades and Divisions, within the shortest period that circumstances will permit, and as nearly as practicable in the following proportions of Artillery, Cavalry, and Infantry, viz: one twelfth Artillery, one Sixteenth Cavalry, and from one sixteenth to one twelfth riflemen and the residue Infantry, to be completely equipped with arms and accoutrements fit for actual service, including Blankets and Knapsacks.

1808.
October 29,
War
Department

Any Corps of volunteers, who, previous to orders for taking the field, may tender their services conformably to the second section of the aforesaid act, will be considered a part of the quota of the said State according to their numbers, and your Excellency is also authorized to accept as a part thereof, any company or companies of Volunteers either of Artillery, Cavalry, or Infantry. who may associate and offer themselves for the service agreeably to an Act of Congress, a copy of which is enclosed, passed on the 24th of February, 1807. And I have to request that your Excellency will endeavor to inspire as general a disposition as possible for voluntary offers of service, especially under the last mentioned act. Permit me also to suggest the importance of having such general and field officers, as can, in all respects, be relied upon in case the detachment should be called into actual service.

When the Detachments and organization shall have been completed, the respective corps will be exercised under the officers set over them, but will not remain embodied or be considered in actual service until by subsequent orders they shall be ready to take the field.

Your Excellency will please to direct that correct inspection returns be made of the respective corps, and that copies thereof be transmitted to this Department as early as possible. Separate returns should be made of those who have heretofore volunteered, and may volunteer, under the last mentioned act.

I have the honor to be, &c.

JULIUS CLARKSON TO THE GOVERNOR.

I take the liberty of sending my commission as an officer of the 88th Reg't. The reason why I do it is that I am about to leave the State, and I think it is necessary that my Company should be officered as soon as possible.

October 31

I am. &c.

DAVID S. GARLAND TO THE GOVERNOR.

1808.
Nov. 4,
Richmond

Be so good as to make known to the Executive Council, my acceptance of the Office of Register, under the appointment, and under cover you will receive my Bond, with security for the performance of the duties of that office. I take the liberty of mentioning to you the propriety of a committee from your body being appointed for the purpose of examining the State of the Books and papers in the Office to which I have been recently appointed.

I am, &c.

ARCHD. McRAE, CAPTAIN, WASHINGTON WEISIGER, LIEUTENANT,
AND PETER F. SMITH, ENSIGN, TO THE GOVERNOR.

Nov. 8

Tender the service of the Manchester Republican Blues, by their request, through the Governor, to the General Government, for twelve months, for the defence of the same.

JOHN W. PRICE, CAPTAIN WASHINGTON AND JEFFERSON ARTILLERY,
19TH REGIMENT TO THE GOVERNOR.

Nov. 9,
Richmond

Whilst we deprecate war when it can be avoided without sacrificing the honor of our country, still we acquiesce in it with all its concomitant evils rather than submit to the smallest degradation; impressed with these sentiments the company which I have the honour to command consisting of — Rank and file, have unanimously requested me to make known to you that they are ready and willing to sacrifice private interest to the promotion of the public good, and to that end they now proudly volunteer their services as a part of the quota called for from this State by the President of the United States; and furthermore they state they will hold themselves in readiness at a moment's warning to rally around the Standard of their Country.

I am, &c.

GEORGE TURNER, CAPTAIN RICHMOND RIFLE VOLUNTEERS, TO THE
GOVERNOR.

Nov. 10,
Richmond

Tendering for himself and the Richmond Rifle Volunteers, consisting of 50, Rank and file, their services as a part of the Quota required of the 19th Regiment Virginia Militia by the President of the United States.

ARMISTEAD LONG TO THE GOVERNOR.

I take this opportunity of communicating to you that I have removed from the County of Loudoun, consequently my command of the fifty-seventh Regiment of Virginia Militia ceases, and I beg leave to name to you Captain Armistead T. Mason as being the best qualified of any man within the bounds of the Regiment to succeed to the command, and I have no doubt but he will discharge the duties with fidelity and ability.

1808.
Nov. 12

I am, &c.

WM. GODWIN TO THE GOVERNOR.

Returning Commission as Ensign in the 59th Reg't Virginia Militia on account of removal from the State.

Nov. 14,
Nansemond
County

WM. SHARP (LIEUTENANT-COLONEL 54TH REGIMENT) TO THE GOVERNOR.

Informing of the measures taken for the suppression of a reported Insurrection with affidavits concerning the same.

Nov. 14,
Norfolk

JAMES FAULKNER TO MAJOR JAMES SINGLETON.

Having understood that you are Major of Artillery, and as the Law appears deficient in regard to whom I shall make my return, I now enclose one to you as the most proper person. If I am correct and you my commanding officer, I hope you will use your influence with the Executive to procure the necessary arms, as mine appears to be the only organized Volunteer Company of Artillery in General Smith's Brigade.

Nov. 15,
Martinsburg

Major Wm. Davidson informed me that Mr. John Heiskell, of Winchester, had been commissioned as a Capt. of Artillerists and received his swords, but as he had no men, he supposed that Capt. Heiskell would have no objections to deliver up his swords to proper authority. If they can be had, I would send for them, as we muster the last Saturday in December, when, if convenient, will be happy to see you.

I am, &c.

 B. W. LEIGH TO THE GOVERNOR.

1808.
Nov. 19,
Petersburg

In June or July, 1807, the Petersburg Republican Light Infantry (belonging to the 2nd battalion of the 39th Virginia Regiment), who were then commanded by Capt. T. B. Robertson, and whom I have now the honor to command, tendered their services to the president of the United States, by whom those services were accepted. The tender was general, specifying no term of service and referring to no particular act of Congress, in conformity to which it was made, and the President's acceptance was as general as the tender. The Company afterwards knowing they had designed to give Government as complete control over their services as it could legally exercise, unanimously construed their tender to have been made under the act of Congress of Feb'y 24th '07, and this I specially reported to the Colonel commandant of this Regiment, then engaged in complying with your former requisition of the Virginia quota. But as there were about that period many tenders and acceptances of Volunteer services of a like general nature with our own, I presume some uniform construction will be adopted as to their effect and as to the obligation they impose. If such tenders be decided to refer to the provisions of the act of February 24th, '07, I am happy to learn from your last general orders that the services of the company I command and of others similarly situated, are already fully pledged and that no further tender will be proper or is expected.

If, on the contrary, they be decided to refer to the other laws of the United States on this subject, I learn from the same general Orders as well, that our former obligations are discharged, as also what is the present duty incumbent on us. I take the liberty to ask of the Executive explanation and advice on this head. Meanwhile, and in all advice, I assure you in the name, and by the particular direction of the Petersburg Republican Light Infantry, that they will never be the last "to manifest the love of Country by rallying round her standard and pressing forward in her service."

I am, &c.

RICHARD E. PARKER TO THE GOVERNOR.

Nov. 20,
Westmore-
land County

Tendering his services in any military capacity consistant with his present rank in the militia.

JOHN PEGRAM TO THE GOVERNOR.

Nov. 22,
Dinwiddie

Tendering his services the second time for attacking or repelling the enemies of his country.

DRURY BERTHETT, CAPTAIN, TO THE GOVERNOR.

Tendering service of the company of Light Infantry attached to the 62nd Regiment of Militia, in the county of Prince George, as a part of the quota called for from Virginia by the President.

1808.
Nov. 23,
Prince
George

JAMES FAULKNER TO THE GOVERNOR.

Having observed your General orders of the 9th inst., for volunteers to hold themselves in readiness, and as we offered our services under the Law of Congress of February 24th, 1807, and still wish to be considered among the first ordered to March, I hope your Excellency will furnish us with Swords at least, that we may learn that exercise so as to be equal to any Troops in that part of Artillery Discipline in case we have to take the field. Your letter of July 28th last, promising me swords, I received and answered immediately, with a return Roll of the strength of my Company Inclosed, but not having the honor of receiving any communication from your Excellency since, I am apprehensive some new arrangement has taken place that will disappoint me in my hopes of receiving any for some time, as Wm. Davidson, Brigade Inspector, told me John Heiskell, of Winchester, had some years ago been commissioned as Capt. of Artillerists, has received his swords but has got no men. I expect the Regiment that I am attached to will be called together when the commandant receives his orders, at which time suitable arms would inspire both officers and soldiers with redoubled ardor, for the feelings of brave soldiers without arms is not to be described. For further information in regard to the Honor, Patriotism, Appearance, and standing in society of the officers and men whom I have the honor to command, I refer you to the Delegates from this County in the General Assembly of this State.

Nov. 25,
Martinsburg

I am, &c.

JOHN MATHEWS TO THE GOVERNOR.

Enclosing Return of his Troop of Cavalry, 83 men and officers, horses, arms and furniture complete, and tendering their service in defence of the country.

Nov. 25,
Augusta
County

RICHARD CORBIN TO THE GOVERNOR.

1808.
Nov. 27,
Laneville

In consequence of previous notice the Company of Artillery under my command assembled on their usual parade on Friday, the 25th Inst. Your general orders of the 9th being first read, and the object of their meeting fully explained, the vote of volunteering their service was taken, when, to the great gratification of their officers and their own immortal Honor, *not one* dissentient was found. In compliance, therefore, with their wishes and the authority delegated to me, I now take pleasure in offering the services of the said company (the King and Queen Artillery Blues), consisting of 75, Rank and file, for *six months*; and flatter myself from the former honorable notice taken of them by your Excellency, and the honorable — they will again be permitted to form part of the first Quota, called from Virginia.

I am, &c.

Auditor's Statement of the Operations of the Virginia Penitentiary from December 1st, 1807, to November 30th, 1808:

Receipts,	-	-	-	-	-	-	-	-	-	\$81,376 14
Disbursements,	-	-	-	-	-	-	-	-	-	70,132 99
										<u>\$11,243 14</u>
Profit,	-	-	-	-	-	-	-	-	-	<u>5,059 35</u>
Commission to officers at 45 per cent.,	-	-	-	-	-	-	-	-	-	5,059 35
Apportionment, viz.:										
Keeper, 15 per cent.,	-	-	-	-	-	-	-	-	-	\$1,686 45
Assistant Keepers and Turnkeys at 5 per										
cent. each,	-	\$562	15,	-	-	-	-	3,372	90	\$5,059 35

SAMUEL BAKER (CAPTAIN) TO THE GOVERNOR.

Dec. 1,
New Town,
Stephens-
burg

Tendering the services of his Troop of Cavalry of Frederick Co. for the defence of his country.

W. FOUSHEE AND EDWARD CARRINGTON TO THE GOVERNOR.

Dec. 1,
Richmond

Reviewing the Report of the Commissioners appointed to view the improvements made on the bed of James River.

B. W. LEIGH (CAPTAIN) TO THE GOVERNOR.

Tenders the services of the Petersburg Republican Infantry to the Government (the second time) in conformity to the Act of Congress of 24th of February, 1807.

1808.
Dec. 2,
Petersburg

W. TENNEY (CAPTAIN) TO THE GOVERNOR.

Tendering the service of the Hunting Shirt Republican Light Infantry Company of Amelia to constitute a part of the Virginia Quota of Militia at present in requisition to serve six months.

Dec. 3,
Amelia
County

JOHN PEGRAM, B. G. (FIFTEENTH BRIGADE), TO THE GOVERNOR.

As I entertain doubts whether it would be proper to permit the Volunteer Companies of Light Infantry to substitute the body of the Militia required to be held in readiness under your late orders for this reason: All Volunteer Companies have been drafted by the Executive for a regular routine of duty by entire companies; if then they tender their services to supply the place of the Militia and are embodied in the Field, and another requisition is made for Light Troops, I could not possibly comply with orders. I beg leave for explanations upon this subject.

Dec. 6

I request also to know whether a company of Riflemen will be accepted in place of a Light Infantry required from my Brigade, Captain Spain's Company having tendered their services for that purpose. Most of the Companies of Light Infantry having tendered their services under the former requisition, and from your orders I consider them now discharged.

I have the pleasure to inform you that the 39th and 83d Regiments have furnished Volunteers for the present requisition with a promptitude that reflects credit upon them. The other Regiments have not yet made returns.

Captain Pegram's Troop of Horse have made a tender of their services, and have requested me to state that the Swords and Pistols with which they have been furnished are extremely indifferent, such as cannot be relied upon in Action, and beg your attention to this subject.

I am, &c.

RICHARD YOUNG TO THE EXECUTIVE.

1808.
Dec. 7,
Richmond

In obedience to a request of his Excellency the Governor, requesting me to make such notes of reference concerning the public Square as had come under my observation, in order more fully to explain a survey and map of that and the adjoining property belonging to the Commonwealth, made by me at the request of Mr. Alexander Quarrier, I beg leave to call your particular attention to two Acts of the General Assembly of the Commonwealth, the one passed at their May Session 1779, entitled an act for the removal of the Seat of Government from the City of Williamsburg to the Town of Richmond, and one other act passed at their May Session, 1780, entitled an act for locating the Public Squares. To enlarge the Town of Richmond, and for other purposes. The first of these Acts contemplates the location of six several Squares, to be surrounded with streets so as to enclose all the ground contained in such squares, be their size whatever might have been determined on.

By the latter of these acts sundry Gentlemen were nominated directors of public buildings, to them was delegated certain powers by the said act, to whose proceedings I beg leave to refer you, as contained in the papers furnished by William Hay, Esqr. These will explain the disposal of the public property on Lots Nos. 357 and 358, together with sundry other of their proceedings while they continued to act under the authority aforesaid. The powers which was vested in these Gentlemen was by act of the General Assembly, passed the 8th of January, 1805, transferred to the Common Council of the City of Richmond, as will appear by a reference to the said Act, who, by a resolution of that body, passed on the 18th of July, 1808, proceeded in conformity to what they understood to have been the intention of the said directors, to recognize and designate by name the Streets surrounding the public Square, as will more fully appear by a reference to the said resolution, a copy of which is hereunto annexed, all of which is humbly submitted by,

Yours, &c.

City of Richmond, In Common Council, July 18th, 1808.

Mr. Robenson, from the committee appointed to procure from Mr. Wm. Hay and lay before the Hall such parts of the proceedings of the Directors of the public buildings as provide names for any of the streets, lanes and Alleys of the City, and to report to the Hall such names as they may think would be proper to be given to the streets, lanes and alleys, to which names have not been given by the said directors, made a report, which, being read three several times, was agreed to by the Hall and is as follows:

1808.
Dec. 7,
Richmond

The Committee appointed to procure from Mr. William Hay authentic copies of such proceedings of the Directors of the public buildings, as provide names for the Streets, lanes and alleys of this city, and to report to the Hall such names as they should think proper for the streets, &c., in those parts of the Town to which names have not been given by the said Directors, have accordingly procured such copies which are hereto annexed, and they respectfully report and suggest to the Hall the following as suitable names for the Streets hereafter mentioned.

That the Street leading from the end of Mayo's Bridge by the Old Capitol, crossing the Main Street and running East of Byrd's Ware-house to the termination of the said Street, and which the said directors appear to have omitted to name, be called and known by the name of 14th street. That the street as laid off by the said directors thro' lots 433, 419, 406, 393, 381, and 369, and which is also omitted to be named by them, be called Capitol Street. That the Street as laid off by the said Directors thro' lots No. 430, 416, 403, 390, 378, 366, and 356, and not named by them be called Bank Street. That the Street extending from E street toward the River, between lots 163 and 172 on the one side, and 164 and 173 on the other be called Oak street. That the street extending between lots 162, 163, 164, 165 and 166 on the one side, and 171, 172, 173, 174 and 175 on the other, be called Pine Street. That the street extending from E street by Rocket's ware-house to Rocket's landing, and the bridge over Gilly's Creek commencing at the corner of lot 161, and bounded on the side furthest from the river by lots 161, 187, part of 188, 196, 203, 211, 212, 213, 214 and 215 be called Rocket's Street. That the Street extending between lots 166 and 175 on the one side, and 167 and 176 on the other be called Pear Street. That the Street running thro' lot 161 be called Cherry Street. That the street extending towards the river between lots 168 and 177 on the one side, and 169 and 178 on the other, be called Peach street. That the street extending between lots 188, 189, 190, 191, 192, 193, 194 and 195 on the one side, and 196, 197, 198, 199, 200, 201, and 202 on the other, be called Bloody Run Street. That the street extending from E street towards the River between lots 181 and 189 on the one side, and 182 and 190 on the other, be called Hill street. That the street between lots 183 and 191 on the one side, and 184 and 192 on the other side be called Ware-house Street. That the street between lots 185, 193, 199, 206 and 212 on the one side, and 186, 194, 200, 207, and 213 on the other side be called Elm street. That the street extending between lots 197 and 204 on the one side, and 198, 205, 210, and 211, and running towards Brown and Craddock's wharf be called Ash Street. That the street extending between lots 201, 208, and 214 on the one side, and 202, 209, and 215 on the other, be called Maple Street. And that the Street bounded by the River on the one side, and lots No. 171, 172, 173, 174, 175, 176, 177, 178, 170, and 179 on the other

1808.
Dec. 7,
Richmond

side, be called Water Street. That the street extending towards the Bloody run between lots 203, 204, 205, 206, 207, 208, and 209 on the one side, 211, 212, 213, 214, and 215 on the other side be called Poplar street. That the Street leading from the bridge over Gilly's Creek thro' the lots laid off by Nicholson, Simpson, Hauge, and Lester, to a street extending out from Nicholson's lower wharf, be called Lester street. That the street leading from towards Lester's lower wharf and extending North 85° E. to the boundary of the city, be called Hague Street. That the street leading from towards Nicholson's lower wharf and extending N. 85° East to the boundary of the City, be called Nicholson Street. That the street extending from the last mentioned street, south, 3° E., shall be called Front Street, and that a twelve feet Alley adjoining the slip of ground, the property of Richard Adams, the Rope walk and the lower boundary of the City, shall be called Denny's Alley, and that the street beginning at the Brook Road and running parallel with K street and terminating opposite the house of Mrs. Hayes, be called and known by the name of L street.

Your committee think that at this time it is inexpedient to name the streets in the additions which have been made to the city of certain lands formerly belonging to Patrick and William Coutts, and which were laid off into lots and Streets by the purchasers thereof, because the streets therein are not laid off so as to correspond with those in the adjoining part of the town, and cannot now be altered according to law so as to correspond with such streets without great injury to persons who have bought and sold lots in that part of the Town according to the plans drawn by former proprietors thereof, and because we think that application will be made to the Legislature of the State, and probably with success for a repeal of so much of their act as requires the aforesaid alteration to be made.

A copy.

N. SHEPPARD, C. C. Council,
City of Richmond.

RICHARD MASON (CAPTAIN) TO THE GOVERNOR.

Dec. 10,
Surry
County

Tenders the services of the Surry Volunteer Troop of Cavalry, consisting of 36 members, including officers, conformable to the act of Congress passed March 30th, 1808.

JOHN CHOWUNG (CAPTAIN) TO THE GOVERNOR.

Dec. 10,
Lancaster
County

Tendering (agreeably to the wish of his company) the services of the Light Infantry Company attached to the 92nd Regiment of the Virginia Militia for the defence of the Country.

Henrico County, &c.:

I do hereby certify that I have administered the oaths prescribed by law to be taken by the Governor or chief magistrate of the Commonwealth unto John Tyler, Esq'r, who hath been duly elected to that office. Given under my hand this 12th day of December, 1808.

1808.
Dec. 10,
Lancaster
County

DAN'L L. HYLTON.

WM. R. SMITH (CAPTAIN) TO THE GOVERNOR.

Tenders services of his Troop of Cavalry under the act of Congress passed 30th of March, 1808, for six months.

Dec. 12,
Fauquier
County

DAVID S. GARLAND TO THE GOVERNOR.

Resigning the office of Register, to which he had been appointed by the Council, not yet having been confirmed by the Legislature.

Dec. 13,
Richmond

Bond of Edward C. Davis, "appointed by the Legislature Register of the Land Office in the room of David S. Garland, removed," is on file, dated — Day of December, 1808.

HENRY ST. JOHN (CAPTAIN V. R., 105TH REGIMENT) TO THE GOVERNOR.

Enclosing patriotic Resolutions of his volunteer Riflemen, tendering their services to the President of the United States for one year.

Dec. 15,
Abingdon

THOS. NEWTON TO THE GOVERNOR.

Permit me to solicit your aid as Chief Magistrate, to procure the erection of such fortifications for the defence of Norfolk and Portsmouth as will give them some security against the annoyance of an enemy. Norfolk is a point of great importance. It is the Key of the Chesapeake Bay, a middle station between the Northern and Southern States.

Dec. 26,
Washington

This must be self-evident, and requires no argument to prove the necessity of defending completely that place. It is sufficient to invite your attention to this subject. The Citizens of Norfolk and Portsmouth are desirous of having the narrows at Craney Island defended. If fortifications were to be erected on the Shoals of that Island at low water

1808.
Dec. 26,
Washington

mark, the distance from the fortification to the channel would more, if I am not much mistaken, than Musket Shot. The navigation of the narrows is more difficult than any other part of the River should a ship of war, in attempting to pass through, be disabled lose any of her spars, she must inevitably go ashore. I am satisfied that a strong fortification there with the Gun-boats will give us by an effectual defence. As the Fort would be no great distance from Mouth of James River, it would enable the Gun-boats to maintain position at that point better, and also more effectually to keep open navigation of that River and of Hampton Roads, as a view of this will clearly show. I am persuaded that a representation on this interesting subject by you to the Executive of the U. S., will have a good effect. It must be admitted to be a mode of representation more respectful to the General Government than any other, and as it regards the accomplishment of the object it certainly has the advantage over any that can be possibly devised. The State of New York last year made a representation of the defenceless situation of New York, the consequences of which must be evident on recurrence to the sums expended for fortifications. I am also persuaded that the subject deserves attention as it is uncertain how long we shall remain in a state of peace, in a state of things as the present can be called peace.

If you think proper to take a step in this business I will with pleasure communicate as your organ any statement you may deem it needful to make. I hope you will pardon me for the liberty I take in so far as your attention to this important subject, particularly when you take into consideration the situation of the citizens on the Seaboard. In the revolutionary war they suffered much, and must in every war feel the first shock. I submit this subject to your judgment, and to the course as that shall direct.

I am, &c.

Henrico County, &c. :

1809.
Jan. 5,
Henrico
County

I do certify that Peyton Randolph, Esq., this day took the oath of a privy Chancellor before me, a justice of the peace for this County, agreeable to law.

Given under my hand this 5th day of January, 1809.

DANIEL Z. HYDE

January 7th, 1809.

Richard Brent, Esq., was elected a Senator of the United States General Assembly of Virginia.

J. SAUNDERS TO THE GOVERNOR.

Asking under orders of Col. Parker for the loan by the Governor, for the use of the United States, of two hundred Cartouch Boxes and the like number of Bayonet belts and scabbards, to be returned or paid for as preferred.

1809.
Jan. 9,
Fort Nelson

THOS. MATHEWS TO THE GOVERNOR.

I do myself the honor to enclose to your Excellency a summary of the Troops required from the 9th Brigade in pursuance of the General Orders under the late requisition of the President of the United States, as also a return of such volunteers as have offered their services to the Government.

Jan. 11,
Norfolk

To the Adjutant-General's office the necessary return has been transmitted, and the Inspection of the Corps for service will be immediately made.

I have to solicit the opinion of your Excellency on a question that has originated with us, and which does not seem to be provided for by the law. Where drafts have taken place, substitutes have been offered in many instances. Not feeling myself warranted to adopt such a measure, I have declined giving any answer until I could obtain the opinion of your Excellency as commander-in-chief. In many instances I am persuaded the establishment of this principle would be beneficial to the service under proper restrictions, but the right of receiving substitutes should be limited to such officers as are acquainted with and feel an interest in the service. Again, sir, the situation of many of our Militia demands the aid of Government for their complete equipment. Many have entered and others drafted whose pecuniary abilities will not permit them to furnish knapsacks, canteens, &c.

The strong desire I feel to complete ready for service the Quota required from my Brigade, induces me to solicit an early attention to those subjects.

I am, &c.

Agreeable to the order of Council of the 27th of December, requiring a report of all the repairs necessary to be done on the public Square by order of Governor Cabell. January 12

It runs thus: First, a stone wall in the gully below the Temple, and to be levelled with the top of the wall in the inside and outside of the house. Secondly, that the old reservoir be filled up and all the Gullys to be sloped off to prevent them washing. Third, the circular stone

1809.
January 12 wall to be raised three feet and to be filled up to the top of the wall. A new plank fence to go around the whole. Fourth, the carriage-way on the southwest side of the Capitol to be stopped by a ditch and bank to turn the water another way. Fifthly, a way for the water that falls on that part of the public square in front of the Capitol. Sixthly, the reservoir on the southwest side of the Capitol to be filled up and the Gully on that side to be sloped off as on the other side of the Capitol. Seventhly, a gravel walk from the extremity of the Square down to the Temple. Eighthly and lastly, a stone wall built across the Gully on the half-acre lot opposite the east end of the Capitol, and a ditch and bank the passage of carriages.

I am, &c.

J. PRESTON TO THE GOVERNOR.

January 17 Having been called during the recess of the Legislature by the Executive of this Commonwealth to the discharge of the duties of the Treasury department, and that appointment being confirmed by the General Assembly and accepted by me, I am obliged to reside in or near the city of Richmond, and of course out of that division of the militia of this commonwealth which I have now the honor to command. I am consequently by the Law, which requires each officer to reside within their respective commands, compelled to resign my Commission as Major-General of the 3rd Division of the militia, and request you would accept this my resignation.

I would do injustice to my feelings were I not to embrace this occasion to thank my Country with unfeigned gratitude for the high and honorable offices which they have frequently conferred on me, and I trust in the execution of the Duties of the one I now fill I shall give satisfaction, because they will be discharged with fidelity and integrity.

I am, &c.

SECRETARY OF WAR TO THE GOVERNOR.

January 18,
War
Department

WAR DEPARTMENT, *January 18th, 1809.*

SIR,—The pressure of the embargo, although sensibly felt by every description of our Fellow-Citizens, has yet been cheerfully borne by most of them under a conviction that it was a temporary evil, and a necessary one to save us from greater and more permanent evils—the loss of property and surrender of rights. But it would have been more cheerfully borne but for the knowledge that while honest men were religiously ob-

serving it, the unprincipled along our sea coast and frontiers were fraudulently evading it, and that in some parts they had even dared to break through it openly by an armed force too powerful to be opposed by the Collector and his assistants. To put an end to this scandalous insubordination to the laws, the legislature has authorized the President of the United States to empower proper persons to employ militia for preventing or suppressing armed or riotous assemblages of persons resisting the custom-house officers in the exercise of their duties, or opposing or violating the embargo laws. He sincerely hopes that during the short time these restrictions are expected to continue, no other instances will take place of a crime of so deep a die. But it is made his duty to take the measures necessary to meet it. He has directed me, therefore, to request you, as commanding officer of the militia of your state, to appoint some officer of the militia of known respect for the laws, in or near to each port of entry within your state, with orders, when applied to by the collector of the district, to assemble immediately a sufficient force of his militia, and to employ them effectually to maintain the authority of the laws respecting the embargo, and that you notify to each collector the officer to whom, by your appointment, he is to apply for aid when necessary. The President has referred this appointment to your excellency, because your knowledge of characters, or means of obtaining it, will enable you to select one who can be most confided in to exercise so serious a power, with all the discretion, the forbearance, the kindness even, which the enforcement of the law will possibly admit, ever bearing in mind that the life of a citizen is never to be endangered, but as the last melancholy effort for the maintenance of order and obedience to the laws.

1809.
January 18,
War Department

Your excellency will please to instruct the officers so appointed, to have correct muster and pay rolls made out and transmitted to this department of such militia as they may find it necessary, in the execution of their duties, to call into actual service.

I have the honor to be, very respectfully,
Your excellency's obedient servant.

January 19th, 1809.

Joel Leftwich, Esqr., was elected by the General Assembly as Brigadier General of the 12th Brigade of Virginia Militia, to supply the vacancy occasioned by the death of Brigadier General Joseph Martin.

January 21st, 1809.

Andrew Moone, Esqr., was elected by the General Assembly as a Major General of the third division of Virginia Militia, to supply the vacancy occasioned by the resignation of Major General John Preston.

JOHN CLARKE TO THE GOVERNOR.

1809.
January 23,
Richmond

Stating that the demand made by the artificers at the Manufactory of arms for repairing the old arms from the Capitol, which work they were not compelled to do under the terms of their employment, made the repaired guns nearly as costly as new ones, hence the small number repaired.

FRANCIS PRESTON TO THE GOVERNOR.

January 26

Informing him that the whole of his company of Cavalry attached to the 70th Regiment, consisting of between forty and fifty privates (although only twenty-six privates and four officers constituted the quota demanded) tender their services to the President of the United States and ask the Executive for arms.

CH. SIMMS, JACOB HOFFMAN, AND PHINEAS JANNEY TO THE GOVERNOR.

January 27,
Alexandria

We have the honor to transmit to you the enclosed report of the Commissioners appointed by your Excellency to view and examine ten miles of the Little River Turnpike Road recently completed by the Company, and respectfully request you to grant the President and Directors of the Little River Turnpike Company permission to erect such and so many gates or Turnpikes upon the said road as will be necessary, and also to appoint Toll gatherers for the purpose of collecting Tolls granted by act for incorporating said Company.

We are, &c.

[Report filed.—ED.]

Return of all the Arms in Arsenal in the Capitol. New Arms in good order, 2,222. New Arms out of repair, 217. Old arms that may be repaired, 4,904. Bayonets, 4,104. Swords with brass hilts, 114. Musket Barrels, 57. Old Locks, 12. Swords with Iron hilts, 250. Muskets without Locks, 20.

JOHN SHORE TO ALEX. STUART, ESQ.

January 30,
Petersburg

I have received your letter of the 26th Inst., enclosing a copy of one from the Secretary of War addressed to Governor Tyler, requesting him to designate at or near each Port of Entry within this State, an officer of the Militia to aid the Collector with a sufficient force to compel a due

observance of the Embargo laws. At the same time notifying me that
Major James Byrne has been appointed by the Executive to discharge
that duty within this District. 1809.
January 30,
Peter-burg

In the maintenance of order and a due obedience to the laws within
this District, I feel a perfect confidence that no occasion will occur for
the exercise of so serious a power.

I am, &c.

WM. YERBY, LIEUTENANT COLONEL COMMANDENT 92D REGIMENT,
TO THE GOVERNOR.

Believing his ability to serve his country greater in another station,
offers his resignation as an officer of the 92d Regiment of Militia. February 4,
Richmond
County

Richmond, February 8, 1809.

We whose names are hereunto subscribed beg leave to state to his
Excellency the Governor, and Council of this State, That we have been
acquainted with Major Samuel McGuire of Hampshire county for a
number of years, that he is a gentleman of untarnished honor, a sound
mind improved by a liberal education, and a good tactition, having been
some time in the United States army.

It is therefore with pleasure we recommend him as a fit person to serve
as a Major in the Rifle Corps of the quota of Militia, to be furnished by
the State of Virginia under the late requisition of the General Govern-
ment.

JAMES ALLEN,
LEWIS WOLFE,
DANIEL SMITH,
WILLIAM DONALDSON,
JOHN CUNNINGHAM,
JOHN HIGGINS,
CHRISTIAN SIMON.

Feb. 10th, 1809.

Thomas Evans, Esq., was elected by the General Assembly as a Judge
in the General Court agreeably to the act entitled "an act to organize
and establish superior courts of law in the Counties of Accomack and
Northampton, and for other purposes."

HENRY BLOW, WM. BLOW, SAM'L BLUNT, TRUSTEES N. INDIANS,
THE GOVERNOR.

1809.
February 17,
Southamp-
ton

We read your letter of the 14th of December last about the first of January. We should have immediately acknowledged the receipt of it but were anxious first to collect the sentiments of the Nottoway Indians in respect to leasing out their land. This we have now done, and have to inform you that all the Indians of lawful age (except one) are unwilling to have any part of their lands leased out. Their objections are that the white people are already as near them as they wish them to be, and that if they are to have nearer neighbors they desire to have them choosing them. We have therefore declined leasing any of their land until we are further instructed.

In November last we had all the land belonging to the Nottoway Indians surveyed. There were three thousand one hundred and eighty-three acres of high land, and seven hundred and twenty-nine acres of low grounds. Part of the latter is arable; the balance not. We have had the land occupied by each Indian surveyed conformably to an order of the Council of State of the 4th of June last. The quantity in the occupancy of each is as follows, viz.: Edy Turner, 22 1-5; Nancy Turner 16; Tom Turner, 13 1-2; Anny, Winny, Billy and Jenny Woodson, 9; Littleton Scholar, 9; Jenny Wincoak, 45; John and Polly Woodson, 1; Betsy Step, 5, and one other small piece in the occupancy of Nancy Turner, containing 4 1-2 acres. You observe that the rules established by us previous to the 18th of July last are incomplete, as there is no provision made for the protection of the persons and property of the Indians from trespass committed by them on each other, or by other persons residing among them. Nor for the education of the Indian children.

In answer to which we say that if there was the smallest hope of drawing these unfortunate people from the miserable state in which they are, we would most willingly attempt the making such other rules and regulations as we should deem necessary for their welfare.

We have already used every argument in our power to induce them to use the habits of sobriety, industry, frugality, &c., but without effect. If your Excellency will have the goodness to direct us how we are to manage, or what kind of rules will be proper for a people destitute of those habits, we shall acknowledge it as a particular favour, and pursue the direction willingly. Schooling the children belonging to the Tribe has been mentioned to the grown Indians, and the propriety of it made as plain to them as we could make it. They sometimes seem willing to send them to school, but that is as far as they have progressed, and are in fear as they ever will without compulsion, which we have no authority to use. We have always endeavored to protect the Tribe from injury as well of their persons as of their property. Respecting their dealing

with people who reside among them, they always have our assistance when it is asked, and if bargains are made between them and others without our consent, we do not consider them of force until we approve them. This has been a rule from the time we became Trustees. Since the receipt of your letter the subject of binding the children apprentices has been mentioned to the Tribe, to which they answered that an Indian was never known as apprentice. There is, therefore, no prospect of an artisan from among them. On the 28th of December, 1803, there was an act passed by the General Assembly of Virginia, authorizing the Trustees of the Nottoway Tribe of Indians to sell all the land belonging to them on the north side of Nottoway River, &c.

1809.
February 17,
Southampton

The sale was made on the 10th of August, in the year 1805, but before the sale, a person entered for the said land (called the Indian Land,) and had it surveyed under a belief that it was vacant land. We have employed an attorney in the business, who had it put off at our last Quarterly Court until March, with a view of getting some information from Richmond respecting the time or times that lands belonging formerly to the Indians on the North side of Nottoway were sold. We can get no information from any laws we have in this place. The land in dispute lies near Cary's Bridge and joins the place we call Simmons Town. If you will collect the information necessary, it may probably assist in saving for the Indians what we believe they ought to have. If we could ascertain that the two small tracts now in dispute were a part of any ancient grant, we should, we think, succeed. If we cannot, we must depend on the testimony we can get. We would be very thankful for such information on this subject as you can furnish us with before the 20th of March, which will be the Southampton Court day.

We are, &c.

D. SHEFFY TO THE GOVERNOR.

By the act passed during the present session the Executive are authorized to purchase four Tons of lead, and a Ton of Powder; being proprietor of the Lead mines in Wythe County I am desirous of furnishing the Lead. The terms at two hundred Dollars per Ton of 2,240 lbs.; the Lead is equal to any in the world and will be delivered in the City of Richmond.

I am going out of Town to-day and wish an answer, the Lead can be delivered by the 15th of April next.

I am, &c.

JAMES POINDEXTER, LIEUTENANT COLONEL COMMANDING 40TH REGIMENT, VIRGINIA MILITIA TO THE GOVERNOR.

1809.
March 2,
Louisa Co.

Transmitting return of the Company of Light Infantry, commanded by Capt. Charles Smith, who tender their services as a part of the Quota required of the 40th Regiment.

ABM. DOUGLASS TO THE GOVERNOR.

March 8,
Richmond

In compliance with the advice of the Council of State of the 7th inst. I inform you that there is on hand at the Penitentiary 2,540 pair of Holsters complete, and 10 pair incomplete; that part of the advice directing that no more shall be made until further instructions shall be particularly attended to.

I am, &c.

ALEXANDER STUART TO THE GOVERNOR.

March 18,
Richmond

Resigning his position as a Member of the Privy Council of Virginia, in consequence of accepting an office under the General Government.

DAVID HOLMES TO THE GOVERNOR.

March 21,
Winchester

During the last session of Congress I wrote to Gov. Cabell, requesting him to forward a certificate of Col. William McGuire's being on the pension list of the State of Virginia in order that he might also be placed (conformable to the Act of Congress), on the pension list of the United States. I suppose owing to a press of business of a public concern and answer to my letter was omitted.

Col. McGuire's papers are all complete, this certificate excepted, which I will thank you to forward to the Secretary at war. He was a brave and honorable soldier of the revolutionary army, and received a severe wound at the Eutaw Springs in defence of those rights which no man holds in higher estimation than yourself.

I am convinced you will take pleasure in aiding the adjustment of a claim grounded on such principles.

I am, &c.

JOHN TYLER, GOVERNOR, TO JOHN STAPLES.

I have laid your letter before the Board on the subject of the appointment of a keeper of the Arsenal, on which subject the advice is enclosed; but as to the other subjects on which you have turned your attention, they think fit to postpone them to a further day. It will be expected that whenever it shall be necessary you should appoint persons to clean the arms and also to pack them up for distribution when directed.

1809.
March 22,
Richmond

I am, &c.

JOHN CLARKE TO THE GOVERNOR.

I this moment received your letter of this date, stating that you had enclosed an advice of Council, which you wished me "to examine and see if any thing remains in my power to throw light upon the subject so that the laborers may have justice done them, which they complain has been too long delayed."

March 28

Such complaint as it relates to me, is without foundation; neither of the persons named in the advice of Council ever made application to me for a settlement for that work, nor indeed is the Carpenter's work for the Foundry and Boring Mills entirely finished at this time.

The advice of Council, which is dated March 28, 1808, (probably 1809 was meant,) states that "it is advised that the Governor address a letter to John Clarke, late Superintendent of the Manufactory of Arms, requesting him to State whether any and what contract was made with Messrs. Hyde and Holloway or either of them relative to the Foundry and Boring Mill, and if by any written contract that such contract be transmitted for the inspection of the Board."

By resorting to the contracts in the council chamber it will be found that Messrs. Wm. and Alex'r McKim, and Messrs. Hyde & Holloway undertook the execution of all the Carpenter's work for the Manufactory of Arms, including the foundry and Boring mill. Those carpenters had progressed with the work of all the buildings nearly to their completion excepting the foundry and Boring mill, when the Legislature passed an act forbidding the carrying on of the two last mentioned buildings. The contractors therefore conceived that the contract having been broken by said act was consequently void. During the suspension of those works great improvements in the manufacture of cannon had been made in Europe, and were introduced in this country at the Foundry of Mr. Foxall of George Town. After two or three years suspension, the Legislature determined to erect the works for ordnance, and the Executive, desirous of having those works as complete as possible, concluded to

1809.
March 28

adopt the improvements above alluded to, (which may be seen by a reference to the minutes of the Council,) this caused a considerable deviation from the original plan.

The improvements required that the Buildings should be larger than they were first intended, and consequently the timbers, &c., were larger and the carpenter's work more laborious and difficult in its execution. When those buildings were about to be commenced, Messrs. Wm. & Alex'r McKim did not think proper to engage in that work; but Messrs. Hyde & Holloway were willing to execute it, though not at the prices stated in the contract, because the work, as I have before observed, was more laborious and difficult, but agreed to perform it and have it valued by disinterested Judges. This was a verbal agreement, and they have progressed with the work to its present stage.

I have no written contract now in my possession relative to the public buildings; all that I had were sent a few months ago to the Executive. This is all the light I can throw upon this subject, and permit me to assure you that any information in my power which the Executive may require shall be given with pleasure.

I am, &c.

JAMES WEAVER (CAPTAIN) TO THE GOVERNOR.

March 29,
Fluvanna

Soliciting the return of a field-piece of artillery sent to Richmond for repair for the use of the Company commanded by him, raised in Fluvanna.

EDMUND CHRISTIAN TO THE GOVERNOR.

March 31,
Charles City
County.

Soliciting arms for his company, of which he sends a return, the same having tendered their services for twelve months after arriving at the place of rendezvous.

R. CORBIN TO THE GOVERNOR.

April 2,
King &
Queen Co.

In the month of December last the company of Artillery which I have the honor to command, made a tender of their services to his Excellency, Gov'r Cabell, for six months, to form a part of the first quota required from Virginia. Having in 1807 made a similar offer, which was then accepted, they considered themselves entitled to some preference on the present occasion.

Having received no notice of their being either accepted or rejected, nor any reply to their letter of tender, they *now pray you, Sir, to deter-*

mine them, and at the same time earnestly solicit that their side arms, which have been so long promised, may be furnished them as soon as may be. A wagon will attend to receive them (free of any expense to the Commonwealth) whenever they may be ready. To corroborate the above, permit me to refer you to the copies of letters enclosed, and believe me,

1809.
April 2,
King &
Queen
County

Y'rs, &c.

GEORGE CHARTER, ROB'T STUART, NEVIN KARINS TO THE GOVERNOR.

We take the liberty to send you the Report of all the arms that we have proved and examined.

April 5,
Armory

You will see by the report the great loss to the State, but we hope that it will give confidence to the Soldier in his arms, and will in the end be of great service to the Armory.

We are, &c.

[NOTE.—Report of muskets classified is filed.—ED.]

The bond of J. Bootwright and O. G. Gathright for furnishing Rations for the convicts at the Penitentiary for one year from the seventeenth day of April, 1809, at six and a quarter cents per ration, to consist of one and a quarter pounds of meals, half a gill of molasses, one pint of Irish potatoes, and half a pound of coarse meat, and to every hundred rations two quarts of salt and one pound of soap, is filed.

JOHN STAPLES TO THE GOVERNOR.

Desiring to be instructed as to the proper length of Bayonets, and whether the swords made for Captain Corbin's Artillery Company shall be stamped with the number of the Regiment to which it is attached.

April 24,
Manufactur-
ing arms

JOHN M. CARTER TO THE GOVERNOR.

Enclosing account for executing the lesser Seal of the Commonwealth amounting to \$40. Also soliciting the work of engraving the greater Seal of same with an estimate of the cost on steel at \$240.

May 4,
Richmond

GEO. CHARTER, ROB'T STEWART, NEVIN KARINS, TO THE GOVERNOR.

1809.
May 5,
Armory

Enclosing second report of their examination and proof of Arms made from 1802 to 1808 inclusive.

[Report of arms classified on file.—ED.]

JOHN STAPLES TO THE GOVERNOR.

May 9,
Manufactory
of arms

Forwarding report of arms manufactured at the Armory during March and April, 1809, as follows: 525 muskets, 100 pistols, 175 cavalry swords, 75 Artillery Swords.

ABRAHAM DOUGLASS TO THE GOVERNOR.

May 11,
Richmond

Informing him that the Cotton Spinning Machine obtained in Rhode Island was deficient in several essential parts for being put in working order.

The maker, a Mr. Ogden, requiring extra pay for these missing parts of the machine.

JOHN STAPLES TO THE GOVERNOR.

May 16,
Manufactory
of arms

Making return of all the arms fit for distribution including all that are Good at the Capitol, as follows: good muskets of every description 4731, Long curved Cavalry Swords 787, Short Cavalry Swords 380, Pistols 253.

HENRY BLOW, WM. BLOW, SAMUEL BLUNT, (TRUSTEES N. INDIANS)
TO THE GOVERNOR.

May 11,
Southamp-
ton County

Having received no answer to our last in which we requested some information respecting a small tract of land on the north side of Nottoway River which we claim in behalf of the Indians, concerning which there is a suit in the Southampton Court which will end in June. We again beg your attention to the subject, as we think the land will be lost unless we can prove it to be part of a Grant formerly made to the Tribe of Nottoway. We are induced from circumstances to believe that the land now in dispute is part of a circular Tract of six miles diameter on the North side of Nottoway river, which was granted by an Act of Assembly made in the fourth year of the reign of Queen Anne, entitled an act for preventing misunderstandings between the Tributary Indians

and other liege subjects of her Majesty of this Colony and dominion, and for a free and open trade with all Indians whatsoever. There was also an Act passed in Williamsburg in the eighth year of the reign of George the Second, entitled an Act to enable the Nottoway Indians to sell certain lands therein mentioned. We suppose that both of these Acts would give us the boundary of the Circular Tract above mentioned, and enable us to ascertain whether the piece in dispute is a part of it. We do not know where to find the said Acts and have only obtained the information of their having once existed by the examination of some old Indian Deeds which refer to them.

1809.
May 11,
Southampton County

We acknowledge the receipt of your favor of the 23rd of March last, with the advice of council therein enclosed. We will, as soon as we can, lay before the board a detailed account of the Indian business, or the Book containing the whole accounts relative to their affairs. We are requested, in the advice of council, to render a detailed account, together with vouchers in support thereof. To produce a voucher for every article in our accounts would be almost impossible. Instance the following cases: An Indian applies to one of the Trustees for a barrel of corn; the Trustee furnishes him or her with it from his own crib.

Application may be made for a little money; it is furnished; the articles are charged, but where are the vouchers in support of such charges to be obtained from? The Indians don't write, and if they did their receipts in such cases would avail but little without a witness. In the management of the business of the Tribe we have always used all the particularity we thought necessary, and shall continue to do it during the time we may act for them. We sincerely wish that your Excellency may have it in your power to transmit to us the necessary information respecting the land we are contending for at or before June Southampton court, as without it we believe those unfortunate people will be deprived of that which we think they have a right to.

We are, &c.

THOMAS C. HOWARD TO THE GOVERNOR.

Enclosing and resigning his Commission as Captain in the Nineteenth Regiment, Second Brigade (Va.) Militia, the immediate prospect for war having passed, and being appointed clerk of the Hustings Court of the city of Richmond.

May 24,
Hustings
Office

PHILIP NORBORNE NICHOLAS (ATTORNEY-GENERAL) TO THE GOVERNOR

1809.
May 26,
Richmond

I duly received your favor of yesterday enclosing a letter from the American Consul at the Island of Cuba, relative to certain French subjects who have been compelled to leave that Island, and who wish to be admitted with their property into this Commonwealth. The advice Council requests my opinion how far the persons alluded to can be protected by the Executive in the enjoyment of their property, particularly of their slaves, until the next meeting of the General Assembly.

How far these emigrants can be effected by the laws of the United States, either that respecting non-intercourse with France and her subjects, or the law inhibiting the introduction of slaves, it is perhaps my province to decide.

If they land with their property, except their slaves, most probably they would violate neither of those laws under the peculiar circumstances under which they have come among us.

With the same exception, there is no State law or regulation that would infringe. In relation to the slaves brought by them, I have examined all our Acts of Assembly interdicting the introduction of slaves into this State, particularly the laws referred to in your Excellency's letter. By those laws the introduction of slaves is prohibited, penalties inflicted on persons introducing them, and they are liable eventually to be sold. It is also made the duty of the Executive to provide for their removal from the State. I can find no provision given to the Executive in any case to suspend or limit the operation of these legislative provisions, and the 4th Section of the Act to be found in the 413th page of Pleasant's edition of the laws, Vol. I, gives the Executive a discretion as to the mode of removal, not a power to admit Slaves under particular circumstances. As nothing in our Statutes invests the Executive with power to obviate the effect of these legislative provisions, it appears to me clear that they cannot take any measure which will prevent the effect of these laws on the persons in question if they should introduce the negroes into the Commonwealth.

They would be subjected to the penalties of the Acts, and the negroes themselves would be liable to be removed, or be subjected to be sold as the overseers of the poor, according to the provisions of the Act of the 25th of January, 1806. The situation of these unhappy emigrants is certainly calculated very justly to excite the public sympathy. They are entitled to those hospitalities which can be extended to them consistently with the observance of a policy which has been deemed essential not only to the prosperity but safety of the State.

The Legislature seem to have been extremely anxious to guard against the introduction of this kind of population, as is apparent through the laws upon this subject, and it may be remarked that from no port

of that population is greater danger to be apprehended than from those which are introduced from the Islands. In every aspect in which I can consider this question, whether with reference to the letter of the law or the policy on which it was founded, it would seem to me that the Slaves in question cannot legally be brought into this Commonwealth.

1809.
May 26,
Richmond

I am, &c.

His Excellency Governor of State of Virginia:

SIR,—I have the honor to enclose to your Ex. herewith a printed copy of the Proclamation issued on the 11th Inst. by the Governor of this place in pursuance of an order from the Capt'n General of this Colony ordering the French to quit the Island within the term specified. As a number of them are about to seek refuge in Virginia, I have thought it my duty as the representative of the American Government to apprise your Ex. of their intentions and to put you in possession of the authentic act which compels them to seek an assylum in another country.

The principle, and, indeed, in many instances the sole property, of these unfortunate exiles consists in their negroes, whom as well from feelings of attachment and habit, as considerations of interest, they are reluctant to abandon among a people strangers to their language and manners and indifferent to their fate.

I have not failed to apprise the French inhabitants who held Slaves, of the law which prohibits their introduction into the Territories of the U. S., but they flatter themselves; nor should I have thought myself wholly acquitted on the score of humanity had I utterly extinguished their hopes that in this peculiar situation the Government may have the power and the inclination to grant them some relief from the rigor of established Statutes. In any event, they leave this country to seek refuge in the continent with a firm assurance that in circumstances so distressing, and where the claims of humanity are so evident and so urgent, they will be received with all the hospitality and indulgence consistent with the usages of friendly Nations and a due regard to the laws and welfare of the United States.

I have the honor to be, Sir,

Your most humble and obed't Servant,

MAUMES ROGERS,
Consul U. S.

St. Yargo de Cuba, 28th April, 1809.

WM. WIRT TO THE GOVERNOR.

1809.
May 29,
Richmond

I received the enclosed commission under the hope that my professional business would not so entirely engross my time as to disable me from discharging my duties to the Regiment. My constant experience from the date of the commission to this day has convinced me of my mistake. As I cannot reconcile it to my sense of propriety to hold any commission without discharging the duties which belong to it, and as I am convinced that the same interference between my professional and regimental duties which has hitherto so frequently occurred, must continue to take place, I beg leave, sir, through you to tender my resignation to the Executive, and to beg their acceptance of it.

I am, &c.

Henrico County, &c.:

I do hereby certify that James Jones, Esqr., this day took the oaths of a privy Councillor before me a justice of the peace for the said County, agreeable to Law. Given under my hand this 29th day of May, 1809.

DANIEL L. HYLTON.

Henrico County, &c.:

I do hereby certify that William B. Hare, Esqr., this day took the oaths of a privy Councillor before me a justice of the peace for the said County, agreeable to Law. Given under my hand this 29th day of May, 1809.

DANIEL L. HYLTON.

WM. VAUGHAN (MAGISTRATE) TO THE GOVERNOR.

June 2,
Norfolk

Informing of the arrival of French exiles from Cuba bringing some slaves into the port of Norfolk. This being contrary to the laws of the United States as also of Virginia, he writes for advice. The law of the State requires that slaves imported from foreign countries should be sent out of the country by the magistrates, but designates no place to which they shall be carried. As all the ports of the world are for one cause or another at this time closed against receiving slaves, it is out of the power of the magistrates to execute the State law concerning them.

EDWARD CARRINGTON TO THE GOVERNOR.

I was duly honored by the receipt of your letter of the 29th Ult., enclosing an advice of Council on the subject of the Powder Magazine of this City, and have delayed a reply thereto only for the purpose of making one the most satisfactory.

1809.
June 3,
Richmond

The Magazine has, ever since I became acquainted with it, been exclusively committed to the care and management of the clerk of the market for the time being, under no regulations known to me but a responsibility to those depositing powder, for the redelivery as called for, of which the one now in office as well as his immediate predecessor informs me, regular accounts have been kept; and as no complaint has been made, I presume they have been faithful and accurate. A small storage is paid by private proprietors as a compensation to the keepers, but nothing is paid on public powder, as both the present and late clerk inform me.

From the communication of the late clerk who was in office about 8 years, it appears that during his term the average deposits were from 1,000 to 2,000 lbs. of powder per annum.

By that of the present clerk, Mr. Myers, who has been in office but a very short time it appears that more than 5,000 lbs. were delivered over to his hands on the 20th of April last, and that the quantity has increased since. Both inform that much the greatest part of the deposits are of public powder. They also unite in the information that the House is in a very insecure condition for the purpose, a circumstance well known to every one who has seen it. Indeed I am of opinion that its local situation has not been well chosen; it is low and not only near a stream of water, but surrounded by flats, which must in wet weather, afford much damp air. For the more full information of the Executive I herewith enclose the communications of the two persons alluded to as clerks of the Market.

On the point of safety I beg leave to add that the city can not afford any permanent Guard, or any other security against invasion or injury than a lock to the Door, and were the House a proper one in a proper place, circumstanced as this country is, large deposits of powder can not prudently be placed so remotely from our Free Inhabitants without some degree of Guard, at least during the night. As the magazine kept or to be kept for the city appears to be mostly used for the public powder, would it not be reasonable that a portion of the duty of the public Guard be extended to the City Magazine?

I know not the particular object of the present call for information, perhaps it may be with a view to some step towards a public deposit for powder. In that case I wish I could with propriety, suggest the advantage of its vicinity to the Barracks, in order that it might have the security

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Richmond

of the whole Guard, instead of depending on a single Centinel; the situation of the Barracks, however in the midst of the city, forbids such an arrangement. Whether to be done by the city or the public I think it necessary that early steps be taken for a deposit on ground more proper than the present place, and in a house more fit for preserving the powder. Having taken the liberty of offering these suggestions I conclude with assurance to give at all times any further information that may be deemed useful.

I am, &c.

P. S. I suppose the Magazine might hold 10 or 12,000 lbs. powder.

WILLIAM B. GILES AND RICHARD BRENT (SENATORS) TO THE GOVERNOR.

June 10,
Washington

The letter which you did us the honor of addressing to us, dated 5th Inst., covering one from Mr. Vaughan respecting certain slaves introduced into Norfolk belonging to the French inhabitants lately expelled from Cuba, together with an order of the Executive Council in relation to that subject, has been received, and we have given to it and the accompanying papers the most respectful consideration.

In explaining to you, Sir, our views of this interesting subject, it is not perhaps be improper to call your attention to two clauses of an act of Congress passed the 2nd day of March, 1807, for prohibiting the importation of slaves into any port or place within the jurisdiction of the U. S.

The object of these clauses was to draw the boundary line between the constitutional jurisdiction of the U. S. and the several States on the subject of the prohibition of the importation of Slaves into the U. S. after the beginning of the year 1808. It is believed that the provisions contained in these clauses are deeply interesting to all the slave-holding States. The first clause alluded to will be found in the 4th section of the aforesaid act in the following words:

“And neither the importer nor any person or persons claiming from under him shall hold any right or title whatsoever to any Negro, Mulatto, or person of color, nor to the service or labor thereof, who may be imported or brought within the U. S., or territories thereof, in violation of this law, but the same shall remain subject to *any regulations* not contravening the provisions of this Act, which the Legislatures of the several States or Territories at any time hereafter may make for disposing of any such Negro, Mulatto, or person of color.”

It will be observed that by the foregoing clause, the disposition of slaves, &c., &c., introduced into any port or place within the jurisdic

of the U. S. in violation of the provisions of the aforesaid Act is left exclusively to the tribunals of the several States. This was done at the urgent solicitations of the Slave-holding States upon the principle that the question of Bond or Free, as applied to persons *when brought*, as well as being within the jurisdiction of particular States, is exclusively referred for decision to the State tribunals, and not to those of the U. S., and that the constitutional jurisdiction of the U. S. ceases at the point where that of the particular States commences.

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Washington

You will readily perceive, Sir, the importance of this principle to the security of that species of property which exists only in particular States, whilst other States have no local interest in its preservation, and even entertain strong prejudices against its existence.

This principle is still further exemplified and more specifically expressed in the following clause of the aforesaid act: Section 6 "Provided that the aforesaid forfeiture shall not extend to the seller or purchaser of any negro, mulatto or person of color, who may *be sold or disposed of* in virtue of any *regulation* which may hereafter be made by any of the Legislatures of the several States in that respect *in pursuance of this Act*, and the Constitution of the U. S."

This you will observe, Sir, is an express legislative interpretation of the Constitution upon this very delicate point of jurisdiction. The foregoing clauses were framed upon great consideration, and applied with great caution to the establishment of a principle deemed by us all important to the security and influence of the Slave-holding States.

It necessarily results from this interpretation of the Constitution and the Act aforesaid, that the disposition of the slaves in question belongs exclusively to the tribunals of Virginia, and that those of the U. S. can only extend to the remission of the forfeiture consequent upon the violations of the provisions of the Act aforesaid, and to affording temporary relief to the unfortunate exiles if it should be deemed necessary.

It appears to us, Sir, that the course the Executive has taken is the most proper that could be adopted till the meeting of the General Assembly. If, in the meantime, any arrangement could be devised by which the unhappy exiles could have the use of their slaves for their maintenance and support, it could not fail in our judgment to be acceptable to the legislature, because it would be consonant with those sentiments of humanity, hospitality, and generosity, which have at all times been amongst the honorable characteristics of the Virginia people and of their General Assembly.

Would it not be advisable, Sir, for the General Assembly to adapt the laws of the State to the provisions of the aforesaid Act of Congress?

After proceeding thus far with this communication, we thought proper not to close it until the views of the President in relation to the co-operation of the Government of the U. S. with that of Virginia in

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Washington

affording redress to these unfortunate exiles and all others implicated in the transaction, could be obtained, and the result of an interview and consultation with him has been to present the subject to the consideration of Congress. This is done this morning by moving the accompanying resolutions which passed the Senate unanimously, and will be acted upon by the committee with all convenient dispatch.

This proceeding, Sir, will account for the delay in forwarding the foregoing communication.

Be pleased, Sir, to accept assurances of our high consideration, great personal regard, &c.

We are, &c.

In Senate of the United States, June 12th, 1809

Resolved, That a committee be appointed to enquire whether it is expedient and proper at this time to make any provision by law remitting the penalties and forfeitures incurred by the violations of some of the provisions of the Act entitled "an act to prohibit the importation of slaves into any port or place within the jurisdiction of the United States, from and after the first day of January, in the year of our Lord one thousand eight hundred and eight," so far only as relates to the introduction of slaves into certain ports of the United States, who were lately forcibly expelled from the Island of Cuba with the French inhabitants thereof, and that the committee have leave to report by bill or otherwise.

Ordered, That Mr. Giles, Mr. Bradley, Mr. Anderson, Mr. Crawford and Mr. Franklin be the committee.

Extract from the minutes of the Senate U. S.

Attest:

SAM. A. OTIS, Secretary.

ABR'M DOUGLASS (SUPT. PENITENTIARY) TO THE GOVERNOR.

June 13,
Richmond

Enclosing plans and estimates made by Mr. James Oldham for a powder Magazine to be erected at the Penitentiary which are on file.

JOHN E. HOLT (MAYOR) TO THE GOVERNOR.

June 17,
Norfolk

In addition to the Slaves imported in the Mohawk, Wm. Cowley Master, from St. Iago de Cuba, of which you have been informed, I have now to apprise you of the arrival yesterday of the Schooner Harriet commanded by John Butler, from the same place, having on board

hundred and twenty-nine French persons, Free people of Color and slaves.

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Norfolk

To relieve the latter from a situation peculiarly distressing and uncomfortable, they have been permitted to land subject to a warrant which has been executed on thirty-nine Blacks, and of which the Persons claiming them have had notice. They will consequently continue here liable to such disposition as you may think proper to direct.

From the present unsettled state of the Spanish West India Islands, &c., great numbers of expelled French families will probably continue to seek an Asylum in our Country. It becomes, therefore, a subject of much interest, which it is hoped, Congress will legislate on. And if our laws prohibiting the importation of Slaves are relaxed as to them, the Magistrates of these places where they arrive, will be released from a duty at present of considerable embarrassment.

I am, &c.

THOMAS R. JOYNES TO THE GOVERNOR.

About the last of April, 1807, I went at the request of my brother, John G. Joynes, to the house of Col. John Cropper to measure the four-pound brass field piece at his house, for which my brother wished to get a carriage, and mount the cannon for the use of the Artillery Company, lately raised in this County. Col. Cropper assisted me in measuring it and expressed joy that a Company of Artillery had been raised, and that the Cannon were to be mounted for the Company's use.

June 17,
Accomac
County

On the 15th Instant I went again to Col. Croppers and requested him to permit me to take the brass piece and mount it on the carriage, which had been obtained by my brother John from Richmond for that purpose. Col. Cropper positively refused to let me have it, and on asking him the reason of his refusal he replied that my brother John had sent a cart for it a few days preceding, with a letter requesting him to deliver it to the bearer, and that "the letter did not contain that respectful language which ought to have been used by an inferior officer when addressing the Commandant of the Regiment."

He said that the letter ought to have concluded with "respectfully I am Sir your very obedient Servant," or "Sir your very humble Servant," or some such respectful language.

He showed me my brother's letter, and the only part of which he complained was the conclusion, which was in these words: "permit me to sign myself John G. Joynes." That Col. Cropper construed into a pointed insult offered to him as an officer.

Col. Cropper said that however indecorous he considered my brother's letter, yet that we might have two Iron four-pound cannon concerning

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which he was willing to wave the indecorum, but that we should not have the *brass* cannon. I told him that my brother had mounted one the Iron cannon to which he alluded, and the remaining carriage would not answer for the other, but was gotten for the brass piece which was considerably longer than the Iron cannon. He said that as he was offended, he was determined to keep the brass cannon in his possession until there was an order shown to him in writing for its delivery from the Governor, or until it was taken from him by force.

Col. Cropper did not claim the brass cannon as private property, but said it belonged to the Commonwealth of Virginia, and was obtained from France at the commencement of the American Revolution.

THOMAS R. JOYNES.

[The above statement sworn to by Thos. R. Joynes before John Finney, Justice of the peace for Accomack county, on the 17th day of June 1809.—Ed.]

WM. DAME (LIEUTENANT-COLONEL COMMANDING 17TH REGIMENT
TO THE GOVERNOR.

June 19,
Richmond

About the 22 December last, the officer commanding the 17th Regiment in my absence, received a letter *by Express* from the Honorable Alexander McCrae, then Lt-Governor, bearing date the 19th, stating that satisfactory evidence, verbal and written, had been received, that a general insurrection of the Blacks was intended about and between that date and the 25th whereupon and with the advice of the council of State, the said commanding officer was requested, "for the safety and protection of the citizens," to direct strong Patrols from the Regiment to be continued *service from the receipt of the letter until the first day of January thereafter* and further to urge the magistrates under the act of the 16th of January 1801, to aid in the public defence as is clearly to be inferred by instituting subordinate Patrols.

Accordingly, so many men with proper officers as were deemed sufficient for the service required, were detailed from the Regiment, and separate detachments stationed at various places within the county where it was believed they could operate most effectually, either in preventing or suppressing the expected insurrection, and were, according to directions of said letter, continued in actual service until the first day of January, and now they demand pay. From the term *patroll* used in the letter, it became questionable whether the men so ordered into service were to be paid by the County or by the Commonwealth. The court considers that the service aforesaid is to be paid for by the Commonwealth, and was entered into at the instance of the Executive and by the advice of the Council of State; and that it is not a service for which the

County Court is authorized to provide, because it is not the case of ordinary Patroll, but a military movement growing out of an occasion for which the laws expressly provide, and the expenses of which are to be paid by the State.

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Richmond

The law which passed on this subject the 24th of December, 1795, authorizes the Governor, with the advice of Council, to call forth such number of the Militia as he may deem proper *on the probable prospect of insurrection*, and if the occasion be sudden, the commanding officer of the county is to order out the Militia in such number as he may deem necessary. In either case they are to be paid as if in actual service.

Now Sir, the Governor, with the advice of Council intended to exercise the power vested in him *on the probable prospect of insurrection*, of which there seems to have been abundant testimony, verbal and written; or he intended to stimulate the commanding officer to the exercise of his duty. It is not supposed to do the latter, he would require the solemn advice of the Council of State. That the former was intended although not done in form would most clearly appear if we judge from the letter only, because the men ordered were directed "to be continued in service for a specified time, till the first day of January, for a specified object, the protection and safety of the citizens against a probable general insurrection,

These circumstances—these objects are totally unlike those for which the law provides the ordinary County Patroll, and overrules any conclusion to be drawn from the *term Patroll* used in the letter, or from the informal exercise of powers vested in the Executive on such occasions.

But if the letter was intended to stimulate the commanding officer to his duty—its contents—the high evidence which it offered—the dispatch with which it was forwarded—the secrecy enjoined—the aid of the civil authority which it invoked—all conspired to justify him in believing it to be a sudden occasion of *probable*, almost actual insurrection upon which it was his duty to order out a portion of the Militia "for the safety and protection of the citizens." So that in either point of view the expenses incurred are according to law to be defrayed by the State.

Will your Excellency be so good as to say whether or not the conclusion herein drawn be correct, that in that event proper returns may be made of the number of men and length of service, and their claim to pay be put into a train to be discharged.

I am, &c.

PHILIP NORBORNE NICHOLAS (ATTORNEY—GENERAL) TO THE
GOVERNOR.

Your favor of the 6th Instant, in which you mention that efforts have been made to deprive the Nottoway tribe of Indians of certain lands to which it is believed they are entitled, I duly received, and should have

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Richmond

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answered sooner, but for the incessant attendance I have been compelled to give to the Courts ever since.

Conformably with your request, I have conferred with Mr. Henry on the subject, and he has been kind enough to lend me several very old Acts of Assembly, which it was important to advert to on the occasion. Considering it desirable that all the Acts which relate to Indian title in this Commonwealth should be looked into, I have done so, though in general those acts are not important to the present inquiry further than as it may be interesting to take a connected view of our laws and policy on the subject of the aboriginal inhabitants of this country. When the first effectual settlement was made in this State, which was in 1604, we are informed by Mr. Jefferson in his notes on Virginia, the country from the sea coast to the mountains, and from the Potomac to the most southern waters of James River, was occupied by upwards of forty different tribes of Indians. The same writer alledges, pa. 153, "That the lands of the country were taken from them by conquest, is not so general a truth as is supposed. I find in our history and records repeated proofs of purchase, which cover a considerable part of the lower country, and many more would doubtless be found on further search. The upper country has been acquired altogether by purchases made in the most unexceptionable form." The Indians then were the original proprietors and lords of the soil, and although they parted with large quantities of it to European Settlers, yet they for a long time retained a good deal of land in their own hands, and are still in possession of certain portions by the same original title under which at one time they had a right to the whole. It would not become me on the present occasion to attempt to enter minutely into the history of the acquisitions of property by the earliest settlers.

If there were acts of mutual violence and outrage between the emigrants to Virginia and its aboriginal inhabitants, such acts were perhaps almost inevitable in the situation in which they are placed, yet they are deeply to be regretted. It affords, however, great consolation to the descendants of the first settlers that so considerable a portion of the State was acquired by regular voluntary and peaceable transfer. It is also a subject of just congratulation, that from a very early period of our history, the Legislature manifested an anxious solicitude to preserve to the Indians who remained within our limits, the undisturbed enjoyment of their property and the inviolable security of their persons. If, notwithstanding these efforts of our Government, the numbers of this race of people amongst us has dwindled, and if the character of those who remain has in some degree degenerated, it has proceeded from their desire to exchange what we deem a more cultivated and improved state of Society for those deserts which are more adapted to their ideas of happiness, more congenial to their modes of subsistence, or it may be

attributed to the influence of moral causes which no human prudence or policy could counteract.

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The earliest provisions which I find in our statute-book on this subject are in Purvis's edition of the laws, pa. 96, entitled "Acts concerning Indians." The preamble of this act states as the motives for its passage "That the mutual discontents, jealousies and fears of English and Indians proceed chiefly from the violent intrusions of divers English made into their lands forcing the Indians by way of revenge to kill the cattle and hogs of the English, and by that means injuries being done on both sides, reports and rumours are spread of the hostile inventions of each to other, tending infinitely to the disturbance of the peace of his Majesty's country; and whereas, laws prohibiting the purchase of any Indians lands (unless acknowledged at General Courts or Assemblies, by reason it is as easie to fright them to a public as well as a private acknowledgement) are made fruitless and ineffectual; corrupt interpreters often adding to this mischief by rendering them willing to surrender when indeed they intended to receive a confirmation of their rights and a redress of their wrongs, which mischiefs, had they continued, must needs have involved the country into an inevitable and destructive war.

The Law then goes on to declare and enact to the following effect: That no purchase shall be made by the English of any land now justly claimed or actually possessed by the Indians. That no injuries shall be done Indians. Such English as are seated near Indians shall assist them in making a fence. Poor Indians may be allowed to fish for oysters and gather wild fruits in any county provided they come unarmed. No person shall buy or receive any commodity of the Indians without license. Differences arising in trade with the Indians shall be referred to the Governor. No person shall imprison an Indian King without warrant from the Governor and two of the Council. Bounds between the Indians and the English shall be fixt, and commissioners thereto appointed shall view the same annually. Indians shall not come within the bounds of the English without badges. Indian Kings who are tributary to the English shall acquaint them of any invasion they know of intended by any strange Indians upon the Colony.

Penalty inflicted on harbouring run away Indians. No person shall entertain any of the neighboring Indians for servants without license from the Governor. In the 4th year of Queen Anne, an act passed entitled "An act for prevention of misunderstandings between the tributary Indians and other her Majesty's subjects of this Colony and Dominion and for a free and open trade with all Indians whatsoever."

The preamble declares "That for prevention of all manner of animosities, Jealousies, Fears, Misunderstandings and Differences whatsoever between the Tributary Indians and others her Majesty's subjects of this Colony and dominion, as also the several revenges and Mischiefs

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which may thereupon be sought after and ensue." The Assembly go on to enact, That Tributary Indians shall be disabled from conveying in fee for life or years any of their lands except to their own nation. Persons taking conveyances or leases of Indian lands forfeit 10 shillings per acre. Declares that the clause of the Articles of peace concluded May 29th, Anno 1677, which declare "It is hereby concluded and established that no English shall seat or plant nearer than three miles of any Indian Town" shall be so construed that the bounds of Indian Towns seated on navigable rivers shall be limited by the river. Tributary Indians protected as English subjects, shall have liberty of oystering fishing, and gathering wild fruits and productions in any county on license, but not to carry offensive arms without a license. Shall give notice of any approach of foreign Indians to the next Militia officer, and if they desire aid, parties of the Militia may be raised and sent out with them. Shall march and continue with the English when commanded. Free trade with all Indians. Sale of Rum or Brandy prohibited in the Indian Towns or upon their lands, upon penalty of 10 shillings per quart. Governor may by charter incorporate Discoveries of Indians situate westward of the mountains with sole liberty of trading for 14 years, &c.

These two acts show very fully the principles on which the Government at those periods acted towards the Indians. They display an earnest desire to protect them in the enjoyment of their right; to secure them from acts of open violence, and from the insidious efforts of those who might endeavour to defraud them of their property.

Their rights of property are recognized in the fullest manner, and the great means adopted to secure to them their enjoyment of that property was to prohibit its alienation except amongst themselves. These acts are not only important in the lights in which they have been already considered, but are most interesting documents of the history of the country.

The act contained in Purvis provides that the boundaries of the Indian's lands shall be settled by Commissioners appointed by the Governor, who is directed to make similar annually, to prevent encroachments being made on the Indians. There is reason to believe that this law was acted on as to the Nottoways at least because in the act of 1734, which will be noticed hereafter, the lands of the Nottoways are spoken of as having been *laid off*. Whether any reports of the Commissioners are in existence I have not been able to learn. They would most probably be found if there were such in being in the Council Chamber, but I understand none such are there. It would seem then that all lands which belonged to any of the tribes of Indians in this State at the time of the passage of the act in the reign of Queen Anne, remain in such tribes if such exist, unless where they have been transferred under the authority

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of the Legislature. Because by that act the Indians were expressly prohibited from conveying out of their tribes. With respect to the particular tribe of Indians called the Nottoways, there are several acts of Assembly, which it will be important to notice. This tribe was one of the forty, which, according to Mr. Jefferson, pa. 152, existed at the first settlement of the Colony of Virginia.

They resided on the Nottoway river from which they derived and to which they imparted their Name. Being an aboriginal tribe they were entitled to the lands which they had appropriated to their own use before the settlement of Europeans, and their descendents retain their title still, except so far as they have parted with the lands or portions of the lands which they originally held. Their title is not derived from the former Colony, or from the now State of Virginia, but from a source of title more ancient than the existence of that Colony or that State. No claim therefore which is set up under the authority of a grant from the former Colony of Virginia, or from this Government since we were elevated to the rank of a State can be effectual against the claim of this tribe of Indians to their lands, if it appears that the land claimed is part of the lands always held by this tribe, and as to which they have never parted with their title in some way recognized by law. We have already seen that by the general laws adopted for the regulation of one intercourse and relations with the Indian tribes any conveyance of their lands out of their tribes was expressly inhibited.

The source of authority for any title adverse to the claim of the Nottoways must be found in some Legislative permission. Hence results the necessity of inspecting the various acts which have passed, permitting transfers of the property of the tribe where sanctioned by its own consent. This I shall proceed to do as briefly as possible. The first act which it is important to notice, passed in 1734, and is entitled "An act to enable the Nottoway Indians to sell certain lands therein mentioned, and for discharging the Indian Interpreters." The preamble of this act declares that whereas the Nottoway Indians are possessed of a large tract of land laid off in a circle of six miles diameter, lying and being on the north side of Nottoway river in the County of Isle of Wight, and one other large tract of land of six miles square, lying and being on the south side of said river in the County aforesaid, and whereas that Nation is of late reduced by wars, sickness and other casualties, to a small number, and amongst those that remain, many are old and unable to labour or hunt, so that one of the said tracts will be sufficient for them, and more than they are able in their present circumstances to cultivate or make any use of, and whereas they have petitioned this General Assembly to be enabled to sell the first mentioned tract in small parcels for the payment of their debts and the better support and maintenance of them and their posterity. And for as much as the appropriation of two such large

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tracts for so small a number of people prevents the increase of
tants in that parish, and is, therefore, grievous and burthensome
present parishioners. The act then provides that the chief men
Nottoway tribe shall have authority, with the consent and join
certain persons named as Trustees in said act, to sell and convey
ment and livery and seisin a fee simple in their lands, but no one
shall purchase more than 400 acres. That by the consent of said
way Indians the said trustees might appropriate 400 acres for a
the use of the parish wherein the same doth or may lie, to be
by said vestry at such price as said trustees should deem reasonable.
The trustees not to buy for their own use without the consent of the
Governor. That as the Interpreters are useless, the Indians who
the language very well, the Interpreters be discharged and the salary
annually allowed to be annulled. The Governor, however, to have
power to employ a person at any time to interpret before the
Court or council, Acts passed in the 25th and 28th years of George
2nd, extending or confirming the rights of the Indians to sell.
an act passed to authorize the Nottoway Indians to lease certain
and for the purposes therein mentioned. This act goes to
the power of selling the lands on the north side of the
river, and gives the authority to lease on certain specific
half the lands on the south side of said river. The tenants
bound in certain conditions to improve and to stipulate against
injuring the lands. Trustees appointed to lease the lands, receive
rents and appropriate the money for the benefit of the Indians.
of 1803, ch. 24th, additional powers of selling were given to the
of the said Nottoway Indians. In the year 1806, by an act of
session, new trustees were appointed in the room of the former
with power to call their predecessors to account for their transactions
to make rules and regulations for the management of the affairs of
Indians and the preservation of their property; to apply such
for the maintenance and support of said Indians, so long as said
tribe shall be living, and should said tribe become extinct, to pay
money might remain into the public treasury. The Executive
authorized by this law to remove said trustees for good cause. I
from these laws that no person can justly claim any of the lands
were once the property of this tribe unless under some conveyance
the trustees appointed under the various acts which have been made
to and made in pursuance of those acts or any others which may
and which I may not have discovered. It appears from the record
was enclosed to me that the trustees have brought an ejectment
persons who they believe are intruders on the Indians' property.
the evidence filed it would seem as if the Defendants contend that
are entitled to the property in dispute as land which was vacant

within the Indian boundary, and which was located, surveyed, and patented to the Defendants, or those under whom they claim. The trustees alledge the lands in controversy are part of the Indian tract. It is, therefore, a mere question of boundary, because if the land in contest never were in the Indian limits the Defendants may have acquired title from the Commonwealth. But if the lands were within the limits of the tracts which belonged to the Indians, then the title set up under a patent from the former government cannot avail the Defendants, because the Indians' claim under title paramount to every other—the aboriginal right to their soil before the rights either of the King or colony under the regal government or of the Commonwealth since attached. It is not necessary for the Indians or their Trustees to produce grants or parchments as the foundation of their title; they possess the rights which accrued by occupancy and long possession, and which many successive acts of the legislature have recognized. For every act for the regulation of this property, or which allowed the trustees, with the consent of the chief men, to transfer the lands of the Indians, proceeded on the idea that there existed a property and right in the Indians.

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I am, &c.

The commission of James Semple as Judge of the General Court in the room of James Pleasants, who declined the appointment, made by Governor John Tyler during a recess of the General Assembly, is on file, dated June 24th, 1809.

JAMES PLEASANTS TO THE GOVERNOR.

Declining the appointment of Judge of the General Court.

June 24,
Goochland
County

Geo. Wm. Smith to Col. E. Carrington, Gen'l John Preston,
Major Sam'l Coleman.

Informing them that the Foundery and Boring Mill for making cannon at the Armory were completed, and the first Gun had been made, which it was desired that the above-named gentlemen should have proved in order to be certified to the Governor previous to a settlement with Henry Foxall, the contractor for the machinery of said Foundery and Boring Mill.

June 29

ABRAHAM DOUGLASS (SUPT. PENITENTIARY) TO THE GOVERNOR.

Enclosing plan and specification of Curtis Carter for building a Powder Magazine at the Penitentiary.

July 6

1809.
July 6

The Bond of Robert Stewart, contractor for repairing the public Arms in the penalty of Two thousand Dollars, dated the 6th day of July, 1809, is filed.

(GEORGE WRAY TO THE GOVERNOR.

July 11,
Hampton

Enclosing his commission as Lieut.-Colonel Commandant of the 115th Regiment Virginia Militia.

BY THE GOVERNOR OF VIRGINIA—A PROCLAMATION.

Ordering that the next Courts (Superior and inferior) for the County of Culpeper, be held in the new Courthouse now completed and ready for occupancy, dated July 24th, 1809.

JAMES BYRNE (LIEUTENANT-COLONEL COMMANDANT THIRTY-NINTH REGIMENT) TO THE GOVERNOR.

July 24,
Petersburg

In compliance with the advice of the Council of State of the 21st ulto., I have had the arms of the Company of Artillery attached to the 39th Regiment proved, a Report of which will be regularly made in due time. At present I will only observe that the result is greatly injurious to the public, as not more than $\frac{1}{3}$ have stood the proof.

I am now carrying the order into effect throughout the Regiment, and if I can form any opinion from the various burstings which has heretofore occurred in discharging a common load, I fear the result will be equally unfavorable.

As the former Superintendent of the Armory may have some comments to make on the manner in which the tryal has been made, I have thought it proper in this early part of the tryals to submit that manner to the Council that they may correct the error, if any. The barrel is charged with the required portion of powder, $\frac{2}{3}$ ds of the charge of lead is formed of bar lead beat out so as to drop freely into the barrel, and the other $\frac{1}{3}$ d of small shot, so as to produce a pressure of the lead on the caliber in its discharge. The barrels are then confined in a frame of wood prepared for the purpose, and then discharged by means of a small train of powder. I have attended in person to the above tryal and saw the effects; pieces of the barrels fly in the air in every direction; they not only burst at the chamber, but at the muzzle where the pressure cannot be great; the iron has many flaws, and in general has the appearance of cast metal.

I beg to observe that bullets cannot be procured, and the caliber will not receive balls of the weight directed, so that the mode here adopted

is the only one which has occurred to produce the desired effect. If it is wrong the sooner the error is corrected the better, as the orders will be shortly carried into effect. I have at different times sent to the Armory a number of public arms collected by me at the request of the Council of State and former Governors, the receipt of which has never been acknowledged. It is desirable to have some acknowledgment of their being received, as it is publicly known that I collected them, I ought to be prepared to show that I also delivered them.

1809.
July 24,
Petersburg

I am, &c.

JOHN STAPLES TO THE GOVERNOR.

From the best estimate which I am able to make, the appropriation which was made at the last session of the Legislature of ten thousand dollars for the Foundry and Boring Mill has been nearly exhausted in the completion of those works; but as they are now ready, it is a very desirable object to get them into operation, if it were even in a small way. This would enable me to procure suitable hands, afford time to try them, to instruct them, if necessary, to prepare the flasks and patterns which will be necessary, and to cast the stakes, bars, plates, &c., requisite for the other furnace, and to make a number of inferior arrangements in order to be prepared for going fully into operation when an appropriation shall be made for that purpose.

July 26,
Manufactory
arms

I have no doubt that a good deal of Casting for private individuals might be procured (if it were permitted to be done), the profits of which would assist in defraying the expense of carrying on the works. I have made two pieces of cannon, six pounders, which will be ready for proving by to-morrow. They appear to be well executed, and I found no difficulty in the process even with hands who had not been accustomed to that branch of business.

I am, &c.

PHILIP NORBORNE NICHOLAS TO THE GOVERNOR.

In the suit which I have brought against Mr. John Clarke pursuant to the resolution of the Senate and house of Delegates, it is highly important to obtain an accurate estimate of the work done by Mr. Clarke.

July 31,
Richmond

To obviate any possible objection which can be made to the report of Mr. Strode and Mr. Richard Young on the ground of their being pressed for time or any other cause, and in order to present the subject in a form more precise to a jury, I would propose that the Executive should ap-

1809.
July 31,
Richmond

point two skilful millwrights or persons acquainted with the kind of work done at the armory, who should, conjointly with Mr. Strode, Mr. Young, or one of them, proceed to value the work done by Mr. Clarke. The persons appointed to act I should wish to report on the following points:

1. What work and of what value was done by Mr. Clarke under contract with the Commonwealth of August, 1799.

2. What work and of what value was done by Mr. Clarke or Mr. Young and others for said Clarke on the machinery, fixtures, and apparatus at the Armory which is designated extra work.

3. What repairs and of what value was done by Mr. Clarke or for him on the machinery, &c., at the Armory as far as it can be ascertained.

4. To state what the annual value of repairs of such works as performed at the Armory, and which were kept in repair by Mr. Clarke would have been from the time of the first erection of such works to the close of his accounts.

Also what number of hands would have been sufficient to have the Machinery, &c., in repair, and for what wages could such hands have been hired.

5th. Was any work upon the Machinery fixtures, &c., done by Mr. Holloway or any person other than the hands of Mr. Clarke, and what work, and of what value?

It would be proper that the persons appointed by the Executive to make the foregoing inquiries should notify Mr. Clarke a reasonable time before they proceed, and to request him to attend and shew the repairs, &c., done by him and for which he contends the Commonwealth was liable to him.

Being myself desirous, and Mr. Clarke having intimated to me a wish for a speedy decision, I should hope the valuation could be made as soon as proper persons could be selected to act. If this is done I could probably have a trial at the next term of the General Court.

It is probable that the valuers will want Mr. Clarke's account and documents from the Office of the Keeper of the Rolls, and if so I suppose the Executive could direct them to be furnished, the valuers give receipt for them and returning them when done with them.

I am, &c.

JOHN M. CARTER TO THE GOVERNOR.

August 1,
Richmond

Supposing that it will be in my power to finish the reverse of the Great Seal of the Commonwealth by the 15th inst., I take the liberty to enclose the Honorable Executive a plan for a screw-press. As I

pose it would be desirable with them to have the press as early as possible after the Seals are completed, I would advise that it be made at the Armory, by which means it will be more expeditiously executed, and probably in a much neater manner than by Mr. Todd, who offered to undertake its execution a short time since.

1809.
August 1,
Richmond

I am, &c.

JOHN M. CARTER TO THE GOVERNOR.

Having been mistaken with respect to the Device of the Seals for each Superior Court of Chancery, I regret that I have to call your attention again to that subject.

August 16,
Richmond

The group of figures which are represented on the Seal of the late High Court of Chancery and there being a front and reverse, will make them more costly than those of the Great Seal of Virginia.

My proposition, therefore, is that the engraving and expenses attending it will be worth, for each seal (front and reverse), Two Hundred and fifty Dollars. But if you should conclude to have only one side of the Seal engraved, half that sum will be required.

I am, &c.

JAMES FAULKNER (CAPTAIN) TO THE GOVERNOR.

I received by way of Baltimore a Box of Swords and Belts for which you will please accept the thanks of the Officers and men whom I have the Honor to command.

August 22,
Martinsburg

As the European powers are not disposed to do the Justice our Government expects, and it may happen there will be another call for Volunteers, it is our wish to be equal to any Troops in point of Discipline; we have engaged the best swords-man in the City of Baltimore to — us the Art of Manual Defence, who commences on Monday the 28th Inst., and if your Excellency will be so good as to order Two Field Pieces for the use of my company, it will promote the spirit of Discipline and Enterprize which is so essential at this time, and confer a favour on me who wish to become the first rate Disciplinarians.

I am, &c.

 BEN SHEPPARD TO GEO. WM. SMITH.

1809.
Sep. 5,
Henrico

Enclosing his resignation of commission as Captain of the Richmond Troop of Cavalry in the fourth Regiment, which by the reply of Geo Wm. Smith enclosed, he could not legally resign except by consent of the Executive or the judgment of a Regimental Court of Enquiry.

The Report of John Staples, supert. of the Armory, of the amount of work done during the month of August, 1809, under his supervision.

JOHN STOKELY TO WM. W. HENING (MEMBER OF COUNCIL.)

October 4,
Wood C. H.

Recommending the organization of a Rifle Company in the County of Wood as far more popular there than an Infantry Company armed with Muskets, which cannot be raised.

A Return of the Company of Cavalry belonging to the third Regiment and third Division of Virginia Militia, in the County of Pendleton made by Henry Hull Captain on the 10th of October, 1809, viz.:

1 Captain, 2 Lieutenants, 1 Cornet, 4 Sergeants, 1 Trumpeter, 50 Privates. Total strength, 59. 59 horses, 59 saddles, 59 bridles, 1 Trumpet.

GEORGE GRAHAM TO THE GOVERNOR.

October 18,
Dumfries

An unfortunate affair of honor took place on the Maryland Shore on Friday last between Mr. Bernard Hoor and Mr. Kempe, of this county in which the latter was slightly and the former mortally wounded. He died on Saturday in this State.

From an attempt which was made to present the survivor at the District Court, held on Monday last, but which failed, it is apprehended from the immediate connections of Mr. Kempe that an application would be made to the Executive of Virginia and Maryland to apprehend him. Mr. Hoor and Mr. Kempe were both particular acquaintances of mine, both very valuable men, and with large families. Mr. Kempe had set off his lands and other property, except his Negroes, of which he had about one hundred, and was to have set off for the Western Country in a very few days, when a dispute took place between him and Mr. Hoor in which abusive language was used (commenced, as my present information is,) on the part of Mr. Hoor, and retorted by Mr. Kempe, on which

Mr. Hoor struck him with a horse-whip, but Kempe being the stronger man got the better in the contest, and was challenged by Hoor, in consequence of which the meeting took place. The parties were attended by their seconds and surgeons, and it is not believed that anything unfair took place on the ground on the part of either. Altho' I do not believe myself that any application will be made to the Executive on the subject, yet I have taken the liberty to give you this statement of the transaction, that if a different one should be made an inquiry might be instituted previous to any steps being taken by the executive.

1809.
October 18,
Dumfries

I am, &c.

J. WILLS TO THE GOVERNOR.

Reporting the condition and situation of the old manufactory of arms at the Point of Fork, and recommendation for its sale, with the certificate of Jessey Saunders and Thomas Gray on the value of old Franklin Rods, belonging to the same.

October 19,
Fluvanna

J. WILLS TO THE GOVERNOR.

Enclosing copy of a Deed made by Elias Wills and wife to Edm'd Randolph, Gov. of Virginia, a tract of Land in the County of Fluvanna containing one hundred and fifty acres. Also informing that a deed from David Ross to the Commonwealth for twenty-five acres in same County on which the State's Armory has been built cannot be found in the records of said County.

October 31,
Fluvanna
County

B. W. LEIGH TO THE GOVERNOR.

I received to-day your letter of yesterday giving me the very pleasing intelligence that the guns designed for my company of Light Infantry are now ready for delivery. And I wish heartily I could with any propriety avail myself of the excuse for neglecting my business which your goodness has suggested for me—that of making choice of these arms and so make an occasion to visit my friends in Richmond. But you know what trouble sometimes these are to such folks as me.

Nov. 11,
Petersburg

Mr. James Stephens, my orderly Sergeant (a very honest man and good soldier), will hand you this letter. He will choose the arms and give a receipt for them, which I beg may be taken as equivalent with my own. Sixty-four guns was the old number furnished the company, which just at this time does not require so many; but as the young men who

1809.
Nov. 11,
Petersburg

compose it are seldom of permanent residence, so on the other hand new recruits are continually coming in, so that I think 64 the most convenient number.

Mr. S. will also come prepared to bring these arms over with him. The expense of transportation will I presume be a public one, tho' I have made provision for defraying it in the first instance out of the private funds of the Company.

Be so good as to send me orders by Mr. S. as to the disposition I am to make of the old guns. I suppose it will be proper to deliver them to Major Wilder, who commands the battalion.

I am, &c.

LEVEN POWELL, PRESIDENT, CHARLES SIMMS, JACOB HOFFMAN,
HUGH SMITH, DIRECTORS, TO THE GOVERNOR.

Nov. 25,
Alexandria

The President and Directors of the Little River Turnpike Company, having completed five miles of said road beyond the Twenty miles heretofore completed and nearest thereto, respectfully request your Excellency to appoint three skillful — to view and examine the same agreeably to the 7th section of the act entitled an act to incorporate a Company for establishing a Turnpike road from the intersection of Duke Street in the Town of Alexandria with the South west line of the District of Columbia to the ford of Little River where the Turnpike road now crosses it, and the act to amend the same passed at the last session of Assembly.

We are, &c.

Mr. Curtis Carter has completed the Magazine agreeable to his contract with the Executive, (except whitewashing, which he is to have done as soon as the Arch is sufficiently dry,) and has furnished for the outer walls next the hill seven thousand seven hundred and fifty bricks in addition to that contract.

Richmond, 29th of November, 1809.

AR'M DOUGLASS.

WM. CAMMACK (PRESIDENT), FORT. WHITTLE, ROBERT MARTLAND.
LUKE WHEELER (DIRECTORS) TO THE GOVERNOR.

Nov. 26,
Norfolk

The present Directors of the Dismal Swamp Canal Company, in compliance with their duty and the example of their predecessors, have the Honor to exhibit to the Executive an annual statement of the Company's affairs, in which the State holds so large an interest.

Your Excellency may have learned from former Reports that such had been the unforeseen difficulties in the outset of this work, such the incalculable expenses in its progress through a heavy-timbered morass, covered in most parts with water nine months in the year, as to absorb the whole of the capital subscribed for its complete execution before little more than half the work was accomplished, and that for the last four years they have had little other means to extend its progress than what arose from Tolls on the part which they had cut and the credit which these gave them. The amount of the present year's receipts and Expenditures will be seen by a statement annexed, the sum expended exceeding the amount received by 24,000 Dollars, which has been pretty much the case for the last four years; but with it the Company have at last, during the present year, accomplished their cut throughout, and have only now to regret their further inability to render it at once more generally useful by erecting the necessary Locks for the passage of vessels through it, which they really are unable to execute without some further legislative aid, in which we hope for the countenance and co-operation of the Executive. The memorial for this object to the General Assembly we have now the Honor to enclose, and shall charge the Representatives of our District with the care of a copy.

1809.
Nov. 26,
Norfolk

We are, &c.

W. C. NICHOLAS TO THE GOVERNOR.

On my way to the City of Washington to take my seat in the house of Representatives, I have had a return of the Rheumatism, which puts it out of my power to proceed, and I fear would disable me from attending during the winter.

Nov. 27,
Louisa Co.

Under these circumstances, duty to my country and to my constituents requires that I should resign a situation, the duties of which I am unable to perform.

At a period less critical and interesting I might think myself at liberty to delay this measure, but at the present moment when the best interests of my country are at hazard, I deem it important that every department of the government should be completely filled.

Your Excellency and the Council will be pleased to accept my resignation, and to order an election for the district I have had the honor to represent.

Your patriotism and high sense of the obligations the representative character imposes, will suggest the feelings under which I have acted, and my regret at the necessity that exists in this way to dissolve my official relations to my constituents to whom I am bound by every tie of gratitude and affection.

I am, &c.

1809.
Nov. 27

Henrico County, &c. :

I do hereby certify that Andrew Reid, Esqr., this day took the oath of a privy Councillor before me a justice of the peace for the said County agreeable to Law.

Given under my hand this 11th day of December, 1809.

DANIEL L. HYLTON.

SAMUEL COLEMAN (D. A. G.) TO THE GOVERNOR.

Dec. 25

I have the honor to lay before you as enjoined by law the most complete return of the Militia which I have ever yet been able to present to the Commander in Chief.

While I congratulate you Sir, on the apparent strength of our National defence (being about 80,000), I cannot but regret that the arms returned are so far short of the number* actually issued. What the deficiency really is cannot at present be ascertained, as many have been issued since the returns from which the enclosed is made up have been received. Our next Brigade returns, it is hoped, will in that respect exhibit a more accurate statement.

I am, &c.

*21,767.

A. FOSTER TO THE GOVERNOR.

1810.
January 5,
Richmond

I take the liberty to address you on a subject that you are acquainted with and approve of—the merciful and humane institution of the Penitentiary.

I was the first of our Order that preached the Gospel of peace to these poor unfortunate Men, and I have endeavoured to get as many of my Bretheren, and those of other denominations as I could, to assist in this laudable business, and we have cause to believe our labour is not in vain in the Lord. We are still willing to volunteer our feeble services, without money and without price, in conjunction with the benevolent law of this State, to reclaim these unhappy men from the error of their way but it is very disagreeable and injurious to our health, and the health of the prisoners also, to stand in the open air on the cold ground in the winter, and in the Summer the heat of the sun affects us very much also.

We therefore pray and beseech you to have some convenient place provided for us in the Penitentiary that will screen us from the inclemency of the weather while we attempt to worship God.

I am, &c.

At a meeting of the President and Directors of the Leesburg turnpike Company, held at the house of Nicholas Peers, in the town of Leesburg, on the 30th of November, 1809—Present:

1810.
January 5

Wilson C. Selden, President; James Moore, Robert Braden, Charles Lewis, Chas. F. Mercer, Directors.

The following resolution was moved and unanimously approved by the board, viz.:

Resolved (by the President and Directors of the Leesburg turnpike road company), That notice be given by Charles Fenton Mercer to His Excellency the Governor of Virginia in conformity with the requisition of an Act of the General Assembly of Virginia passed the 3rd of February, 1809, that two hundred shares have been subscribed to the stock of the Leesburg turnpike road company, that a meeting of the subscribers of the said stock has been called and held in the town of Leesburg in conformity with the provisions of the said Act, and that Wilson C. Selden has been elected President, and Charles Fenton Mercer, James Moore, Robert Braden, and Charles Lewis have been elected Directors of the said company for the ensuing year. Richard Henderson, Sec'y and Treasurer.

Letter from Charles Fenton Mercer of Jan'y 27th, 1809, enclosing the above to the Governor.

CHAS. LITTLE, GEO. SUMMERS, AND EDWARD WASHINGTON TO THE GOVERNOR.

We, the subscribers, having been appointed by his Excellency, John Tyler, Governor of Virginia, to view and examine Five miles of the Little River Turnpike road, in addition to the Twenty miles of said road heretofore made and contiguous thereto, do respectfully report that we have viewed and examined the said additional Five Miles of said road, and that the same has been executed according to the meaning of the act entitled "an act to incorporate a company for establishing a Turnpike road from the intersection of Duke Street, in the town of Alexandria, with the Southwest line of the District of Columbia to the Ford of Little River, where the turnpike road now crosses it."

January 6

We are, &c.

In the House of Delegates, Monday, *January 15th, 1810.*

The House according to the order of the day, proceeded, by joint ballot, with the Senate, to the choice of a Treasurer for this Commonwealth.

1810. The usual formalities being observed as on such occasions, the committees of both houses met, and having counted the ballots, found majority of the whole number in favor of John Preston.

Teste:

J. PLEASANTS, jur., C. H. D.

In the house of Delegates, Wednesday, *January 31st, 1810.*

The house, according to the order of the day, proceeded by joint ballot with the Senate to the choice of a Judge of the General Court to supply the vacancy occasioned by the death of Joseph Prentis, Esqr.

The usual formalities of such occasions being observed, the committee of both houses met, and having counted the ballots found a majority the whole number in favor of James Semple, Esqr.

Teste:

J. PLEASANTS, C. H. D.

HANCOCK EUSTACE TO THE GOVERNOR.

February 6 Your letter of the 29th of January I had the honor to receive, and directed you will receive the following statement:

Tob'o now in my hands as agent for the State in the management Bristoe's property is 105,284 lbs.; due from Tenants, 71,173 lbs., and t am't of annual rents, 25,800. I have a Judgment for 22,607 lbs. Tob which I expect to receive in a short time; the balance will be collect the present year. If the Tenants do not pay up this Spring, I sh direct the Sheriff to make general distress. The public Tob'o was offer for sale in Dumf's yesterday, and the highest price I could obtain the was \$3 pr. Hundred, and then I could not dispose of the whole. I ha written on to Alexandria to know what could be had there, and so so as I can get an answer you shall again hear from me.

I am, &c.

A. FOSTER AND AB'M DOUGLASS TO THE GOVERNOR.

February 8, Richmond Having been appointed by the Executive to report a plan and estimate for a Chapel for Divine Worship within the walls of the Penitential Report that they have paid every attention to that duty, and after mature deliberation are fully satisfied that the room formerly denominated the Hospital, with that adjoining, will be sufficiently large for that purpose after taking the partition wall between them down.

The expense of benches, Pulpit, and Bible will not exceed Sevent

Five Dollars. The expense of taking down the partition wall will be very trifling, as it can be done by one of the assistant Keepers, who is by profession a Bricklayer. All which is respectfully submitted.

1810.
February 8,
Richmond

We are, &c.

In Senate, *February 8th, 1810.*

Resolved, That the Senate consider themselves in imminent danger from the present decayed situation of the Plaister in the Senate Chamber.

Resolved therefore, That the Executive be requested to cause the plaistering thereof to be removed and newly plaistered, to be paid for out of any money in the Treasury not otherwise appropriated.

Attest:

THEO. HANSFORD, C. S.

J. PRESTON (TREASURER) TO THE GOVERNOR.

The Treasurer solicits the Honorable the Executive of Virginia to permit him to remove the Treasury Office into such room on the third story of the Capitol as they may think fit to assign for that purpose.

That in which it was kept last year will be perfectly agreeable, and as in duty bound will obey.

I am, &c.

PHILIP NORBORNE NICHOLAS TO THE GOVERNOR.

In the suit depending against Major John Clarke in the General Court I deem it of importance to the public interests that additional counsel should be employed. The transactions involved in that suit are considerably complicated. I wish to have counsel to confer with relative to the preparation of the evidence, as the cause will come on I expect in June. If the Executive think proper to employ counsel I would suggest that it would be agreeable to me to be associated with Mr. Botts in the case, as there will be a facility in our having access together to the documents in the cause and which are in the public offices here, and we can also being both on the spot, confer conveniently together as often as may be necessary. As I wish to take immediate steps to be ready for trial in June I would feel obliged to receive an answer from your Excellency as soon as convenient.

April 24,
Richmond

I am, &c.

RICHARD W. BYRD TO THE GOVERNOR.

1810.
May 30,
Smithfield

I deem it my duty to apprise you of an alarm which exists with us as well as the causes which have produced it. An insurrection of the blacks on the Saturday night preceding Whit sunday is much feared.

As to myself I am not satisfied that their plans are perfectly matured, but that such a scheme has been in contemplation is beyond all doubt. Our unremitted vigilance may probably frustrate their designs in this neighborhood, but unless similar exertions are *generally* used, the consequences may be extremely fatal. A report that such an attempt would be made about Whit sunday in North Carolina has been very prevalent here for eight or ten days. On Saturday last a negro boy who was noticing a white man making an awkward effort to go through the manual exercise, observed to him, "you will all have to use your muskets enough before long, and if you knew what I know it would be well for you." He was apprehended but refused to make any voluntary confessions. After receiving twenty lashes, he acknowledged that he had heard some of our most suspicious negroes (naming them) speaking of the "intended works" in Carolina. He was positive in stating that he heard one of them say "that the operations were to commence in Carolina on the night before Whit sunday. That they were to fight with clubs, spikes, and axes, and if necessary they (the Carolina negroes) would immediately come over here to help the Virginia negroes." This fellow has been examined by two magistrates, who have committed him to jail and directed a court to be called for his trial. One of the other negroes charged by this boy with conversing on the same subject ran away as soon as he found out that he was named. Another of them made statements voluntarily, which convinced all who heard him that the negroes have such a design, and that the plan is much more general than we at first supposed.

From the evidence of this witness as well as from other circumstances, I am convinced that the negro preachers are more dangerous than any other description of blacks. He charges two of these christians with reproving him and others for not attending their meetings more regularly; and with stating if the negroes had attended as they ought to have done that the great and important object which they (the preachers) had long had in view would before this have been accomplished, and that all by this time would have been over."

Indeed, he added that one of them said "that the whole force of the neighborhood would have been put down before to-day."

I am told that two persons will testify that another preacher about five miles from this (named Peter) has lately received a letter from Carolina addressed to him as general Peter of Isle of Wight. This letter is supposed to relate to the same "Works." It is also said that General

er has given notice to many other negroes "that their attendance at meeting-house on Sunday next must be much earlier than common; that he had received a letter from Carolina informing him that there was to be an Earthquake there on the Saturday night before Whit Sunday, and that he wished to explain it to them all."

1810.
May 30,
Smithfield

That he has given this notice, I am well-informed, can be proven by two witnesses. Another negro is charged with having said "that there would be an Earthquake here on the same night; that he was entitled to his freedom, and he would be damned if he did not have it in a fortnight."

A negro man belonging to Mrs. Cowper (a lady of very great respectability) told her yesterday "that if she knew what he did it would make her heart bleed." Many other speeches of the same kind have been made by other negroes (as we are informed), but I will not fatigue you with a recital of them. Those which appear to be most pointed are already stated. It is highly possible that more positive evidence will be procured, but as the time fixed for their "works" draws so near, we have determined at once to give you my present information upon the subject.

My object in making this communication is to apprise you, and through our fellow-citizens generally, of the danger we are all probably exposed to. We have taken up many of these fellows, and expect to go on in the same way. This course may possibly avert the dreadful calamity with which we are threatened. I have thought it advisable to state the circumstances on which our suspicions are founded, to enable you to judge whether they are sufficient to either alarm or vigilance.

My own apprehensions are now in a great degree removed, because I think it probable that we have broken the chain by which they were to be linked. Should the circumstances which I have related be deemed trivial to obtain any serious notice, I am sure you will excuse the liberty which I have taken, and if this communication shall be productive of the least good I shall think myself amply compensated for writing it.

I am, &c.

WM. SHARP (LT. COL.) TO THE GOVERNOR.

Last evening Capt. Lord delivered to me your letter and advice of Council covering a letter from Mr. Byrd. Your directions therein contained shall be executed. The same reports mentioned by Mr. Byrd have lately been in circulation here, and last Friday I called a board of officers consisting of the Commandants of the Battalions and companies and communicated to them what I had heard. It was unanimously

June 6,
Norfolk

1810.
June 6,
Norfolk

Resolved that each man subject to Militia duty shall have delivered to him by his Captain (in case of an alarm and not otherwise), three rounds of Ball cartridge. As there is no amunition belonging to the Regiment, I beg leave to enquire of your Excellency how and where I am to get some—(particularly powder for the artillery), for account of the State in case of actual insurrection or invasion.

I am, &c.

This Indenture made this fourth day of May, one thousand seven hundred and ninety-seven, between Thomas Rutherford and Sarah, his wife, of the County of Henrico and Commonwealth of Virginia, of the one part, and James Wood, Esquire, Governor of the said Commonwealth, in behalf of the Commonwealth of Virginia aforesaid, of the other part, Witnesseth, that the said Thomas Rutherford and Sarah, his wife, for and in consideration of the sum of one thousand two hundred and eight dollars and seventy-five cents to them paid by the Treasurer of the said Commonwealth, the receipt of which they hereby acknowledge, have granted, bargained and sold, aliened, released and confirmed, and by these presents do grant, bargain and sell, alien and release and confirm unto the said James Wood, Esquire, Governor, and to his successors, Governors of the Commonwealth aforesaid, for the use and in trust for the said Commonwealth of Virginia a certain tract or parcel of land adjoining the city of Richmond on the west thereof, and bounded as follows, viz.: Beginning at a corner stone on the city line at the northeast side of a street and running from thence north fifty-four degrees west thirty-eight poles to a stone; thence due west eighteen poles and a-half to a stone; thence due south fifty-two poles to a stone; thence south seventy-seven degrees east twenty-four poles to a stone at a Ditch the city line; thence with the said Ditch and City line north thirty-six degrees east forty-three poles to the beginning; containing twelve acres and fourteen square poles according to a survey made thereof by the Surveyor of the County, on the 30th day of March, 1797, together with all and singular the appurtenances to the said tract or parcel of land belonging. To have and to hold the said tract or parcel of land with the appurtenances as aforesaid to him the said James Wood, Esquire, Governor, and to his successors, Governors of the Commonwealth of Virginia, for the use of and in Trust for the said Commonwealth of Virginia forever.

And the said Thomas Rutherford and Sarah his wife for themselves and their heirs do hereby covenant and agree with the said James Wood, Esquire, Governor, as aforesaid in behalf of the said Commonwealth of Virginia, that they the said tract or parcel of land with its appurtenances to him the said James Wood, Esquire, Governor, and to his successors,

Governors of the Commonwealth of Virginia for the use of, and in trust for the said Commonwealth of Virginia against the right title, interest, claim or demand of any other person or persons whatsoever will forever warrant and defend.

1810.

In witness whereof the said Thomas Rutherford and Sarah his wife have hereunto subscribed their names and affixed their seals the day and year before written.

Signed, sealed and delivered in presence of John D. Blair, Wm. Burton, and Sam. Coleman.

THOMAS RUTHERFORD. [Seal.]

SARAH RUTHERFORD. [Seal.]

Commonwealth of Virginia to Daniel L. Hylton, William Price and Geo. Williamson, Gent. Justices of Henrico County—Greeting:

Whereas, Thomas Rutherford and Sarah, his wife, have by their certain Indenture of Bargain and Sale, bearing date the fourth of May, 1797, sold and conveyed unto James Wood, Esquire, Governor, and to his successors, Governors of the Commonwealth of Virginia, for the use and in trust for the said Commonwealth, a certain tract or parcel of land adjoining the city of Richmond, on the west thereof, and bounded as follows—viz.: Beginning at a corner stone on the city line at the north-east side of a street, and running from thence north fifty-four degrees, west thirty-eight poles to a stone; thence due west eighteen poles and a half to a stone; thence due South fifty-two poles to a stone; thence South seventy-seven degrees, East twenty-four poles to a stone at a Ditch, the city line; thence with said Ditch and city line north thirty-six degrees, east forty-three poles to the beginning, containing twelve acres and fourteen square poles. And whereas the said Sarah Rutherford cannot conveniently travel to our County Courthouse to make acknowledgement of the said conveyance, Therefore we do give you, or any two or more of you, power to receive the acknowledgement, if the said Sarah shall be willing to make before you, of the conveyance aforesaid contained in the said Indenture, which is hereto annexed. We do therefore command you that you personally go to the said Sarah and receive her acknowledgement of the same, and examine her privily and apart from the said Thomas, her husband, whether she doeth the same freely and voluntarily without his persuasion or threats, and whether she be willing that the same should be recorded in our said County Court of Henrico; and when you have received her acknowledgment and examined her as aforesaid, that you distinctly and openly certify as thereof in our said Court under your seals, sending then there the said Indenture and this writ.

Witness Izard B. Whitlock, clerk of our said Court, this fifth day of August, 1809, in the 34th year of our foundation.

J. B. WHITLOCK.

1810. Endorsed as follows:

Henrico County, to-wit:

In obedience to the within Commission to us directed, we have personally waited on the within named Sarah Rutherford, and examined her privately and apart from the said Thomas Rutherford her husband, who freely and voluntarily relinquished her right of dower to the land and premises conveyed by deed hereunto annexed, and is willing that the same should be recorded in the County Court of Henrico. We the subscribers having previously read the said deed and explained the purport thereof to the said Sarah.

Given under our hands and seals this 18th day of January, 1810.

WILLIAM PRICE. [L. S.]

GEO. WM'SON. [L. S.]

Endorsed as follows:

At a Court held for Henrico County at the Court House the third day of July, 1797.

This Indenture was acknowledged by Thomas Rutherford, a party thereto, and ordered to be recorded.

Teste,

AD. CRAIG, C. C.

[These papers filed in package of June, 1810.—Ed.]

JOHN M. CARTER TO THE GOVERNOR.

July 6,
Richmond

I have now the happiness to acquaint you that I have at length completed the sword for Lieut. O'Bannon which you confided to my execution. I trust the manner in which it is executed will meet with the approbation of the honorable Executive. However, I think it due to the occasion to state to your Excellency that the many unforeseen difficulties which I have encountered in effecting its execution have much enhanced its value, and I certainly could not have afforded it for the agreed price had they have been at first anticipated by me, which consideration may perhaps in the estimation of the hon'ble Executive entitle me to some additional compensation for effecting their object in the manner I have. I am induced to believe that the work is done in a manner by no means inferior to the original design and intention of the Executive. But should they not view the subject in this light, nor think any additional compensation ought reasonably to be extended to me, they will act accordingly. In any event, I shall feel confident of having exerted myself to conform to the wishes of the Executive.

I am, &c.

WILLIAM BROKENBROUGH TO GEO. WM. SMITH.

In the month of April last a nomination of Magistrates for this county was made, which, for some cause not distinctly understood by me, was sent back to the Executive to be reconsidered. On Wednesday last another nomination was made by the Court entirely different (except in one instance) from the first, and against this last nomination six of the Magistrates who sat in April have protested. These proceedings of the Court have excited a considerable sensation in the county, which has in some degree been felt by myself as one of the citizens thereof. It is the opinion of some of my friends that I ought to express my opinion to the Executive, as I was lately a Representative of Hanover, and am pretty well acquainted with the nominations and persons nominated.

1810.
July 28,
Hanover

All of the persons nominated in April are Republicans with *perhaps* the exception of one, Mr. Woolfolk, whereas four on the last list are decidedly federal, and one other supposed to be so. I do not wish to make any further remarks on the Nominees, but I think it perfectly fair that the political complexion of the two courts (in April and July) should be understood by the Executive.

Thomas White, Thomas Starke, Parke Street, Wm. White, John Kilby, Geo. Street, Wm. O. Winston, Woodson Ellis, and Wm. Trueheart, were nine out of ten who made the recommendation in April. These men have been uniformly Republican. In the perilous times of '98 they stood firmly attached to democratic principles and opposed to federal usurpation; they have all been long and intimately acquainted with the people, are attached to them and their rights, and the people to them. Two of them (White and Starke) represented the County about the years '98, '99, &c., and in that capacity were true to their Trusts, and certainly expressed the feelings and wishes of the People. Of those who made the nomination in July, Thomas Tinsley, Ferrel Price, Carter Berkeley, Henry Robinson, and Walter Coles are federalists. I have also heard Mr. Harris spoken of in that way, but of this I am not certain, and altho' these are respectable men, yet it is certain that their political Principles are in direct Hostility with those of about four-fifths of the citizens of the County, and altho' Col. Winston and Mr. Ellis, who united in the April recommendation, also concurred in the last, yet I think it certain that if a vote was taken the great majority of our citizens would express their confidence in a Recommendation made by nine-tenths of their political friends rather than in one in which there is so much federal alloy.

I need not dwell on the great importance of infusing republican life into our County Court system. Being a self created body, the County Court is founded rather in the Principles of Oligarchy than of Democracy; the appointment is permanent and its Power immense, not only as a

1810.
July 28,
Hanover

judicial but as an executive and *tax levying body*. I therefore think and always have, the right that the Executive ought in the appointment of Magistrates to direct their attention in a very great degree to the political Principles of the candidates. And on this ground, altho' I might not perhaps had I been a nominator, have concurred in one or two instances in the *nomination*, yet if I had the power of *Appointment* I would not scruple for a moment to ratify the vote given by the respectable Republicans who acted in April. I never knew a Court which was decidedly federal to make republican nominations, and whensoever the federalists do vote in that way it is generally on the principle of creating Division. It is then certainly good policy for the republicans to adhere, otherwise the federalists in the various counties will certainly prevail.

I have taken the liberty of addressing you this letter in consequence of the acquaintance which for a long time has subsisted between us, and from a firm persuasion that you will not attribute this step to any improper motives on my part.

If you think proper you may exhibit this letter at the board, for I do not wish that my sentiments on this subject should be concealed.

I am, &c.

SPENCER ROANE TO THE GOVERNOR.

July 20,
Hanover

I take the liberty of addressing you on the subject of a late nomination of Magistrates and of a Sheriff, by Hanover Court. In thus addressing you I exercise a right inestimable to free men, and which will readily be allowed me by a republican and responsible Executive. I not only exercise a right but perform a duty incumbent on me as a republican citizen of Hanover. You will readily admit me to be honest in the exercise of it when I inform you that it is in opposition to the doings of Hanover Court; and that you have liberty to give publicity to this letter. No man is more sensible than myself of the comfort of passing down the stream of life quietly; but I am prepared to do my duty. I have always preferred "the tempestuous sea of liberty" to "the calm of Despotism." I need not remind your Excellency that there is a redeeming spirit in the Constitution which can bring back every department of the government to fundamental principles, and rally them under the banners of republicanism, save only the Department of the County Courts; and it would have been truly unfortunate had not one Constitution provided a check against their aberrations and enormities (in the first instance), in the veto of the Executive. The tribunal of those Courts, but for that check, is a self-perpetuating oligarchy; and having the nomination of nearly all the military and civil officers in the Commonwealth, might unquestionably change the character of the principles of the people &c

as to become homogenous with their own. It may even in the case before us seduce the staunchly republican county of Hanover to send federal members to the legislature! As in this case the Constitution gives no remedy after the Executive sanction has been given, So the granting of that sanction and the *consequences* thereof, should be well considered. That which when done is irrevocable, should be duly considered before it is done.

1810.
July 29,
Hanover

As the proceedings in this case with the proper documents and proofs will be duly submitted to your Excellency, I mean not to enter into the particulars of them. But I deem the right to enter my protest as a republican citizen of Hanover against the *last* recommendation of Magistrates, and to pray that the *first* may be commissioned by the Executive. I object to the *last* because the federal party in this county, having before more than its due quota of Magistrates, undertook to nominate four or five other federalists, and to palliate the measure by adding also a few other magistrates said to be republican!; instead of permitting their republican colleagues to pass a judgment upon their principles. You may be assured that in such case they would select such republicans as they conceive would best suit them.

If it was their purpose to select true and undoubted republicans, why did they take only *one* of the republicans formerly recommended, and him perhaps only on account of his local situation? I judge these Gentlemen as I would wish to be judged myself were I compelled to choose out of federalists. I would unquestionably *ceteris paribus* choose those who were as little federal as possible. It may be said that a few republicans concurred in this last recommendation.

It is not pleasant for me to enter into the particulars of the conduct of any Gentleman, but it is certain that two of them also concurred in the first nomination before it was possible for them to have been operated upon by Intrigues or any extraneous considerations. It is not pleasant to speak of these Gentlemen, who I believe to be extremely respectable, but it is certain that republicans who have united with federalists in surrendering up the republican ascendancy of their county, are not entitled to as much confidence as those who are prepared to die in the last ditch in defence of it. As to the first recommendation, it is understood that the Executive have not parted from it, but merely retained it in order to have a new trial on a second recommendation. The result of that trial (the particulars whereof will be unfolded to you,) will show you the equal purity *to say the least* of the first recommendation. With respect to the first nomination, I shall only take the liberty to add that it was made by those who possess the confidence of the great body of the people of this county, and most of whom were very active and prominent in the worst days of the Adams Administration, when some

1810.
July 29,
Hanover

of their opposing brethren, however respectable in private life, were kissing the rod that chastised us.

Although I am not so intolerant as to wish to withhold from that party its due quota of the Magistracy of the County (and they have greatly more than *that* already), neither do I wish to live in a county in which federalism shall be triumphant notwithstanding the staunch republicanism (at present) of at least four-fifths of the people.

As to the recommendation of Sheriff, I have no doubt but that the spirit of party also operated in that case. As your honorable body will have the facts before you, I shall only say that I was present and should undoubtedly have voted in favor of Major Thomas Starke. Departing from the merits of the contest, I must add that Major Starke is a man of the most exemplary character, and has long represented this County by a general vote in the worst times. I never heard any man speak of him in my life in terms other than the above. The only fault I ever heard imputed to him was by some federalists, and that consisted only in his Sterling and inflexible attachment to the republican cause and principles.

I am, &c.

J. G. JACKSON TO THE GOVERNOR.

Sept. 28

Events beyond my controul have forced me to choose between the painful alternatives of depriving my constituents again this winter of their representative rights in Congress, or of resigning the office which they have been pleased to honor me. Ever since my apprehension of this dilemma existed I did not hesitate to decide as my duty dictated and I have only delayed the promulgation of that decision in the expectation that a favorable change in my health would soon prevail over the effects of a recent relapse—That hope is illusory, and I now tender you my resignation of the station I fill as the representative of the district. It adds very much to my regrets to dissolve the political connection subsisting between me and my constituents; to terminate it at a period of great and increasing national interest and difficulty like the present, when the Congress are lagging in the rear of public opinion notwithstanding the advice of the Executive supported by paramount claims of patriotism and the audible voice of the nation stimulating them to action.

When efforts, the most base, are practiced to alienate the affection and confidence of the people from the Administration; when the slanders of the Executive are not confined to the newspapers, but continue to be mingled with the legislative deliberations; when we perceive the State of parties in this country and their relative influence constituting

the principle subject of diplomatic communication and speculation, and the measures of a foreign government in relation to us guided exclusively by them. And above all, when the State of the world requires that each one of us disposed to do his duty at all hazards, should be at his post, I regret that I must surrender mine. Nothing but the most imperious necessity could induce me to take this step, but inasmuch as I cannot control, I must yield to it; although I flatter myself that a few months of careful attention to my situation will contribute much to repair the ravages of a painful and long protracted indisposition.

1810.
Sept. 28

I am, &c.

WILLIAM NELSON TO THE GOVERNOR.

No person admires more than I do the wisdom of those who formed our excellent constitution particularly manifested in the separation of the different departments of Government. It is no infringement of this principle, however, for those who are to put different parts of the machine into operation to point out any defect or difficulty which may arise in the operation. The application of the Laws, which may be called its cogs and wheels, requires not a little caution, and particularly those laws to which are annexed the flails of punishment. Hence the extremely critical nicety adopted by the judiciary on whom this duty devolves, when there is danger of this strictness founded in justice and sanctioned by the practice of ages in its application to particular cases not producing the effect designed by the Laws, which certainly would not be allowed to take place in a contest merely civil; or when doubts arise sufficient to justify an application to the Legislature, it becomes the Duty of the Judiciary, thro' the Executive, to make such application.

Nov. 30,
Williams-
burg

I was directed by the Judges present at the Term before the last of the General Court to lay before the Legislature the following subjects:

First. It is a principle that no person interested in the event of a cause shall be admitted as a witness. Some of our acts appropriate penalties, fines, or forfeitures, or a part of them to the County or Parish, or to lessening the County Levy.

Is an Inhabitant of such County or Parish a competent Witness? One of the Judges, whose opinion we deservedly respect very highly, was of opinion that in England, the Decisions of whose Courts are resorted to at least in questions arising upon the principles of *common law*, after a man was *rated* he was incompetent. If he could point out any error in the rating, he would have a right to a proportional deduction, but that the mere circumstance that his proportion of the County Levy to be thereafter laid might be lessened, formed a contingent and not a

1810.
Nov. 30,
Williams-
burg

direct interest. A great majority however of the Judges consider the question as unsettled, and worthy of the interference of the Legislature.

Second. The 8th article of the Bill of Rights declares that a man cannot "be compelled to give evidence against himself." If A, B, and C then play at cards at a Tavern, and A be sworn to give evidence, and alleges that if he answers as to that Transaction and so discovers as to B and C he will furnish witnesses against himself, and thus lead to his own conviction. Ought the Court to excuse him on such objection?

One of the Judges, whose opinions would be very much respected in a case even much less doubtful, was of opinion that a person thus circumstanced could not be compelled to give evidence against B and C. The other Judges think he should answer the question, but entertain some doubt as to the propriety of compelling him. As the practice however, has been so long in this way, they in conference determined to adhere to it until the Legislature could be resorted to, but agreed to submit to the Legislature whether in order to avoid all difficulty a Law should not be passed preventing the prosecution against such witness upon evidence which may be so discovered. Having stated the subject agreed in conference to be submitted to the Legislature, I shall take the liberty of stating some others.

In the fourteenth chapter of the acts of Session begun in 1809, passed Feb'y 2nd, 1810, p. 15, It is "enacted that all escheats, confiscations, Fines, Penalties, and Forfeitures, and all rights in personal property accruing to the Commonwealth as Derelict and having no rightful proprietor, be, and the same are hereby, appropriated to the encouragement of learning, &c." Since the conference above mentioned, which took place in June, 1810, I understand that some of the Judges in the Superior Court of Law have acted under this Law under an opinion that Fines, penalties, and forfeitures, even if before otherwise appropriated and not to the Commonwealth, are embraced in it. Others have supposed that only the Fines, penalties, and forfeitures accruing to the Commonwealth are embraced in it. When the same subject presents itself in points of view so essentially different to the understanding of men highly respectable, what Power can solve the Difficulty except the Legislature as to cases which may hereafter arise? The auditor in his requisitions to Clerks as to Fines, &c., has, I am told, adopted the former construction. In the Report of the Revised Laws, in 1792, the act to prevent the destroying and murdering Bastard children was included. The Legislature struck out, or at least omitted, this act from the Code. Perhaps the coterminous opinion of the moment was that the act was no longer in force, but the Court of Appeals having in some cases decided that the acts and parts of acts merely omitted in the revised Laws passed are still in force, a difference of opinion prevails as to the present existence or non-existence of this act. This is surely a subject worthy of the attention of the Legislature.

The second section of the "Act to amend the penal Laws of this Commonwealth," passed in 1796, enacts "That all murder which shall be perpetrated by means of Poison, or by lying in wait, or by any other kind of wilful, deliberate and premeditated killing, or which shall be committed in the perpetration or attempt to perpetrate any arson, rape, or robbery or burglary, shall be deemed murder in the first degree."

1810.
Nov. 30,
Williams-
burg

The first section of the Act "to amend the laws heretofore made amending the penal Laws of this Commonwealth," passed in the Session begun in 1802, enacts that all murders which shall be perpetrated by means of poison, or by lying in wait, or by duress of imprisonment or confinement, or by starving, or by wilful, malicious and excessive whipping, beating or other cruel treatment, or torture, or by any other kind of wilful, deliberate and premeditated killing, or which shall be committed in the perpetration or attempt to perpetrate any arson, rape, robbery or burglary, shall henceforth be deemed murder in the first degree.

Was it or was it not the intention of the Legislature that if a murder perpetrated by duress of imprisonment or confinement, or by starving, or by wilful, malicious and excessive whipping, beating or other cruel treatment or torture "these acts in themselves should supply malice, and a sufficient wilful deliberation and premeditation in the killing, or is any other wilfulness, deliberation and premeditation in the killing to be required?

The lenity of our countrymen to individuals, perhaps sometimes, induces them to adopt the latter construction. If the former be the sense of the Legislature would not the doubt be opened by inserting the new words "by duress, &c.," to the word "torture" inclusive after the attempt to perpetrate any arson, rape, robbery or burglary, which were in the first act, and then the sentence would read :

"That all murders which shall be perpetrated by means of poison, or by lying in wait, or by any other kind of wilful, deliberate and premeditated killing, or which shall be committed in the perpetration or attempt to perpetrate any arson, rape, robbery or burglary, or by duress of imprisonment or confinement, or by starving, or by wilful, malicious and excessive whipping, beating, or other cruel treatment or torture, shall be henceforth deemed murder in the first degree;" and then might follow the clause as it now stands in the act of 1802 as to murder in the second degree, and as to the province of the jury in ascertaining in their verdict whether it be murder in the first or second degree.

Some doubt has also arisen upon the 3rd and 4th sections of the act of 1802 above referred to.

By the 3rd section, "whosoever shall wilfully, maliciously and of purpose stab or shoot another with intention," as in the clause mentioned, besides undergoing a confinement in the jail or penitentiary house, "shall moreover pay a fine not exceeding \$1,000, three-fourths whereof shall be for the use of the party grieved."

1810.
Nov. 30,
Williams-
burg

By the fourth section any *party grieved* under this act or under the act to amend the penal Laws, &c., shall be considered as a competent witness, &c.

It was decided in the General Court prior to the Revolution, that slaves maimed were within the act in the Edition of 1769, altho' the persons there designated are "his Majesty's *subjects*."

But it has been contended that as slaves are incapable of property, and are not admisible witnesses against a white man, they are not within the Act of 1802. This subject was not laid before a conference, but it was mentioned to several of the Judges, who were of opinion that it should be submitted to the Legislature. Indeed, Humanity, as well as Expediency, calls aloud for their elucidation of the subject. I beg the favor of you to communicate these points to the Legislature.

I am, &c.

P. S. There is another subject which I beg leave to mention. The 6th Section of the Act passed in the Session of 1807 to organize and establish a Superior Court of Law in each county, &c., allows a Prosecutor for the Commonwealth five dollars per day for every day he may be engaged in the public service, but not to exceed \$50 per annum. I think myself restrained by the words of this Law from making any allowance for those days in which no Business for the Commonwealth is transacted, and in some of the Courts I have been unable to procure persons who would undertake the office. The Legislature will decide whether that body will amend or explain this clause.

W. N.

JARED BROOKES TO THE GOVERNOR.

Dec. 10,
Louisville,
Kentucky

For the information of your Excellency and of the Legislature of your State, I herewith enclose a map of the falls of Ohio at lowest water, with notes explanatory thereof; also a representation of the obstacles naturally and morally opposed to an improvement of this part of navigation.*

I hope the nature and importance of the subject which I have undertaken to represent, will justify my thus addressing your Excellency and entitle my communications to the attention and consideration of the Legislature of the State of Virginia, to whom I request your Excellency to present them.

I hold myself in readiness to attend to any communications which I may have the honor of receiving relative to this point.

I am, &c.

* No map or other papers alluded to in this letter are found.—ED.

Henrico County, to-wit:

1810.

I do certify that I have this day administered the oaths prescribed by law to be taken by the Governor or Chief Magistrate of the Commonwealth, to John Tyler, Esquire, viz: the oath of allegiance to the Commonwealth; the oath of office as Governor; the oath prescribed by the act to "suppress duelling," and the oath to support the Constitution of the United States.

Given under my hand and seal this 10th day of December, 1810.

JOHN P. WILLIAMSON. [SEAL.]

W. EUSTIS TO THE GOVERNOR.

It has been intimated to this Department that sundry citizens belonging to the State of Virginia, and others, have proceeded to locate Land Warrants issued under authority of that State, upon Lands which have been already surveyed and sold to individuals by authority of the United States, to the westward of the Boundary Line run between the Source of the Little Miami and the Scioto, established by a Law of the United States, March 23d, 1804, and which has been legitimately recognized as the westernmost Boundary *Line in that quarter* of the Lands reserved to satisfy the claims of the Officers and Soldiers of the late Virginia line upon Continental Establishment.

Dec. 19,
War Department

To prevent as much as possible any inconvenience or litigation that might result from such incorrect procedure as is above stated, permit me to suggest to your Excellency the expediency of Instructing Colo. Anderson, the State Surveyor-General, that in future he add a clause to the authentication which he usually inscribes on surveys, stating explicitly that the land there described is not surveyed west of the Boundary line run between the Source of the Little Miami and the Scioto, established by the Law of the U. S., of March 23rd, 1804, nor on any land *previously surveyed* as land of the United States.

Your Excellency will readily perceive the expediency of carrying this regulation into effect.

I am, &c.

JAMES HASLETT TO THE GOVERNOR.

I had the honor of addressing a Letter to you on the the 11th of January ult., with propositions for the manufacturing of Arms for the Commonwealth of Virginia.

Dec. 29,
Baltimore

Understanding that a Law was passed the last session of the Legisla-

1810.
Dec. 29,
Baltimore

ture authorizing you to receive proposals for the leasing the Armory, I have taken the liberty of renewing my propositions.

I will engage to supply the Commonwealth with as many Arms as they require, provided I may have the use of the buildings and Machinery of the Armory, rent free, which I will engage to keep in good repair during the term of the contract, decay, use and accidents excepted, on the same terms as the United States give to individuals for manufacturing the different kinds of Arms. I will receive all the Stocks and unfinished parts of work that are now on hand at their proper value, provided I am permitted to work them in as part of the contract, I agree that the Commonwealth may deduct on delivery of each hundred Muskets, Pistols or other arms the amount for the materials so purchased that have been wrought in said Guns or Pistols, &c. The balance I will require immediate payment of, however if there are an over proportion of any one particular part of work now on hand that I may not be obliged to discharge the person or persons employed in such works. I will require the indulgence of the Commonwealth in not deducting the whole of the amount for such articles at the time of delivery. It will be necessary in the prosecution of so extensive a business that for the better providing materials to advantage that may be required, that the Commonwealth upon the delivery of such goods at the manufactory should guarantee the payment of them in conjunction with the subscriber to such person or persons from whom they were purchased.

The Foundrey and boring Mill will receive my particular attention, but not having at present an accurate knowledge of the expence of manufacturing Cannon, cannot state with precision what I can make them for. However, I will engage that part of the work on as moderate terms as they can be manufactured in Richmond.

By a thorough investigation of the United States Factories in the gun way and those of Richmond, I am confident it will be found that the arms, after calculating waste of materials of different kinds, officers salaries, men on days' work, and incidental expenses that are impossible to ascertain accurately, cost considerably more than the terms I now offer.

Having served a regular apprenticeship to the Gun-making business in all its various branches, both Military and Birding guns, and having manufactured Arms for the Commonwealth of Virginia on my own account and superintended the making of the whole of the arms delivered by McCormick, I hope it will not be supposed that I am not competent. However, if it should be doubted, I am personally — to Edw'd Lloyd, Esq'r, the present Governor of this State, and Rob't Wright, Esq'r, the late Governor (now member of Congress); by a reference to those Gentlemen, they can testify as to my abilities in the gun business. I can produce satisfactory certificates as to my abilities and character from Philadelphia, where I was appointed inspector of Arms by Gover-

nor McKean, and continued as such till I removed into this State, and as to my public and private character in Baltimore an investigation into it will be considered an honor.

1810.
Dec. 29,
Baltimore

I am, &c.

Virginia :

General Assembly begun and holden at the Capitol, in the City of Richmond, on Monday, the third day of December, in the year of our Lord 1810, and of the Commonwealth 35th.

Wednesday, *January 2nd, 1811.*

The House, according to the order of the day, proceeded by joint ballot with the Senate to the choice of a Senator to represent this State in the Congress of the United States, to supply the vacancy which will be produced by the expiration of the term of service of William B. Giles, Esq., on the third day of March next.

The usual formalities having been performed appropriate to such occasions, the committee met a committee from the Senate, and jointly with them examined the ballots and had found a majority of the whole number of votes in favor of William B. Giles, Esq.

Teste :

J. B. PLEASANTS, JR., Clerk.

The Bond of Charles Blagrove, as Register of the Land Office, dated the 8th day of January, 1811, with his securities in the penalty of ten thousand dollars, is filed.

Henrico County, &c. :

Charles K. Mallory and Linah Mims having been duly elected by the General Assembly of this State as members of the Council of State, produced a certificate of having taken the oaths prescribed by law before Dan. Z. Hylton, a justice of the peace for Henrico county, and took their seats accordingly.

Given under my hand this 8th day of January, 1811.

DAN. Z. HYLTON.

J. B. TO GENERAL T. R.

I can inform you that those negroes, at least some of them, will not revolt, they are so attached to them that all persuasions will not do. I have offered them \$25 each when Richmond shall be ours. I have

January

1811.
January

though under my banner 100 or thereabouts, who is determined to fight for us. Keep every thing silent till that fatal night which will show to the world that slavery will no longer exist in Virginia.

The plans you laid down was good; you say you have 60 under you armed with guns, scythe blades, &c., I have 20 armed with muskets, the rest with old swords, clubs. I think you say we can set fire to Todd's lane, and while the people are there we can set fire up the Town. Very good. I will divide my men in to 4 divisions. I will command 25. Peter the Bearer, the second; Bob the third, and Henry the 4th. I will be stationed by or near the Capitol. Peter near the Eagle Tavern, behind them houses. Bob near the Market bridge on the right, and Henry on the left when the houses burn or the alarm is given. We shall set fire to the alley opposite the Bell Tavern. You lay off your men—conduct every thing with secrecy and we trust in God. If we succeed we will be very rich. We are moulding balls every night.

N. B.—I have a small keg of Powder.

Henrico County, to-wit:

I, Nathaniel Selden, one of the justices of the peace for the County aforesaid, do hereby certify that I have on this day administered to his Excellency, James Monroe, the several oaths prescribed by the laws of this Commonwealth to be taken by the Governor thereof previous to his entering upon the duties of his office.

Given under my hand this 18th day of January, 1811.

NATH'L SELDEN.

The General Assembly of Virginia view with the most serious concern the late attempts which have been made to obtain from Congress a renewal of the charter incorporating the Bank of the United States.

This Assembly are deeply impressed with the conviction that the original grant of that charter was unconstitutional; that Congress have no power whatever to renew it, and that the exercise of such a power would be not only unconstitutional, but a dangerous encroachment on the sovereignty of the States; therefore,

Resolved, That the Senators of this State in the Congress of the United States be instructed and our representatives most earnestly requested in the execution of their duties as faithful representatives of their Country to use their best efforts in opposing by every means in their power the renewal of the charter of the Bank of the United States.

January 22nd, 1811. Agreed to.

ROBERT TAYLOR, S. S.

JAS. BARBOUR, S. H. D.

A copy from the original.

Teste:

J. PLEASANTS, JR., C. H. D.

Resolved, That his Excellency the Governor be, and he is hereby, requested to transmit forthwith a copy of the foregoing preamble and resolution to each of the Senators and representatives of this State in the Congress of the United States.

1811.
January

Jan'y 22nd, 1811. Agreed to by the House of Delegates.

J. PLEASANTS, JR., C. H. D.

Henrico County, to-wit:

This day William Robertson, Esqr., appeared before me a justice of the peace for the aforesaid County, and took the different oaths as the law directs, as a Clerk of the Council of State.

Given under my hand and seal this 31st of January, 1811.

WILLIAM PRICE. [Seal.]

General Assembly begun and held at the Capitol in the City of Richmond on Monday the third day of December in the year of our Lord, one thousand eight hundred and ten, and the Commonwealth the 35.

January the 30th, 1811.

The House according to the order of the day proceeded by joint ballot with the Senate to the choice of two additional Judges of the Court of Appeals, made necessary by an Act of the present Session. The usual formalities being performed the Committee met a Committee of the Senate and jointly with them examined the ballots and found a majority of the whole number of votes in favor of James Pleasants for one, and Francis T. Brooke, Esqr., for the other judge.

Teste:

J. PLEASANTS, C. H. D.

In the house of Delegates, Friday, *February 1st, 1811.*

The House, according to the joint resolution of both houses, proceeded by joint ballot with the Senate, to the election of a Brigadier-General to supply the vacancy occasioned by the resignation of Brigadier-General Peter Johnson, and also for the election of a Judge of the General Court to supply the vacancy occasioned by the promotion of Francis T. Brooke to the Court of Appeals.

The usual formalities of such occasions being performed, the committee met a committee of the Senate, and jointly with them examined the ballots, and found a majority of the whole number of votes in favor of John Purnall, Esq., for Brigadier-General, and for Peter Johnston, Esq'r, for Judge of the General Court.

Teste,

WM. MUNFORD, C. H. D.

FRANCIS T. BROOKE TO THE GOVERNOR.

1811.
February 2

Your communication of my having been elected one of the additional Judges of the Court of Appeals, was this moment received with great sensibility. Though diffident of my ability to discharge its very arduous duties, yet a respect for public opinion when expressed by so honorable and disinterested an organ as the General Assembly, added to that warm attachment to public duty, which I trust I have at all times manifested in the several offices I have had the honor to fill, prompt me to accept the highly honorable and important one now conferred on me, and I can only promise with confidence the same unremitting exertion of my feeble talents to merit this additional mark of the public favor.

Accept for your self, Sir, the assurances of my great respect and esteem.

— —

Henrico County, to-wit:

I Nathaniel Selden, one of the justices of the peace for the said County, do certify that William Wardlaw this day personally appeared before me and took the several oaths following, to-wit: the oath of fidelity to the Commonwealth of Virginia, the oath prescribed by law for a private Councillor or Counsellor of State, the oath to support the Constitution of the United States, and the oath against duelling.

Given under my hand this 7th of February, 1811.

NATH'L SELDEN.

— —

JAMES PLEASANTS, JR., TO THE GOVERNOR.

February 23,
Goochland

Enclosed is my commission, so lately received, as a Judge of the Court of Appeals. I wish you to consider this as my resignation of it.

In coming to this determination, my mind has had a painful struggle. Many circumstances combining have at length determined me to conclude on this as the most proper course. The wisdom of the Executive will enable them to select a proper character to supply the vacancy which I make, no doubt, will be ratified by the succeeding legislation.

I am, &c.

— —

March

The Official Bond of John Staples as Superintendent of the Public Manufactory of Arms, dated 18th of Feb'y, 1811, in the penalty of Fifty Thousand Dollars, is on file.

WM. LEIGH TO THE GOVERNOR.

By an act of the Legislature passed in the session of 1805, no militia officer accepting a commission after that time can resign without having obtained the consent of the Regimental Court of enquiry or the Executive.

1811.
March 11,
Halifax
C. H.

I have accepted a Captain's commission since the passage of the above-mentioned law, and the object of this letter is to obtain from the Executive permission to resign.

I live at very considerable distance from the limits of the company commanded by me, and the various other occupations which I have to attend to will not permit me to give proper attention to my militia duties. I therefore hope that leave to resign my commission will be granted me.

I am, &c.

WM. H. CABELL TO THE GOVERNOR.

I had the honor to receive last evening your letter of the 21st, informing me that the Executive have appointed me a Judge of the Court of Appeals to supply the vacancy created by the resignation of Mr. Pleasants. I am deeply sensible of the many proofs of confidence heretofore reposed in me by my country, and have too much gratitude for the past to feel ambitious of new honors. I certainly therefore did not expect the appointment now conferred on me, and if only personal considerations were allowed to operate perhaps I ought to decline the honor of its acceptance. But whilst I should deem it highly unworthy to seek such an office, yet when called to it by those to whom the constitution has entrusted the power to dispose of it, I do not feel myself as a citizen at liberty to reject it. I have, therefore, to inform you that I accept the appointment which the Executive have done me the honor to confer upon me. I do it, however, with much diffidence of my abilities for an office so high and responsible, but with a firm determination to devote an exclusive attention to its arduous duties.

March 24,
Montevideo

I have the honor to be, with the highest consideration,

Your Excellency's obed't serv't,

D. CARR TO THE GOVERNOR.

Your communication of the 26th has been this moment handed to me. In reply I have the honor to inform you that I accept the appointment and immediately enter on its duties.

March 30,
Charlottesville

1811.
March 30,
Charlottes-
ville

Permit me, Sir, through you to tender to the Council my thanks for the confidence reposed in me, and to pledge to them my best efforts to prove that it has not been misplaced.

Accept for yourself assurances of my high respect.

HUGH NELSON TO THE GOVERNOR.

March 30

Having consented to make a tender of my services to the Congressional District in which I reside, it is incumbent on me to lay down the judicial office which I hold under the Government.

The Executive will therefore be pleased to accept this as my resignation of the office which I hold as a Judge of the General Court.

I had intended delaying this measure until after the coming circuits were passed, but learning that it is highly probable that an incident may soon occur which might produce some embarrassment among a portion of the Judges should I continue longer to hold the office, I have resolved at once to lay down the honor.

My commission should have been sent, but it is mislaid and I cannot find it.

I am, &c.

S. GEO. TUCKER TO THE GOVERNOR.

April 2,
Richmond

The period has arrived when I must either submit to an oppressive and as I conceive unconstitutional act of the legislature, or by refusing to obey it afford some pretext at least for a charge of neglect of my duty as a Judge of the Court of Appeals, or resign my seat in that Court, I prefer the last.

That the Act of the last session of the general Assembly respecting the Court of Appeals is oppressive, certainly cannot require further demonstration, when it is shown that the duty assigned it by the Judges of that Court is not only doubled (or nearly so) without a recompence, but imposes upon them the painful alternative either of abandoning their families altogether or removing them to Richmond under every disadvantage of sacrificing their property and habitations elsewhere at an under rate, and establishing themselves in Richmond where the superior value of property, of house rent, and of every article of life must render such a sacrifice doubly inconvenient and oppressive. Such at least are the alternatives which present themselves in my own case. I could not without a sacrifice at least equal in value to my whole property in Williamsburg and its vicinity, establish myself and family in Richmond near as comfortably as we are at present in Williamsburg. Can such a gratuitous sacrifice be expected?

Or if further proof of the oppressive operation of that act be required, is it not amply furnished from this circumstance that a Judge who is unwilling to make this gratuitous sacrifice of his property must either abandon it and his family altogether or resign his office?—an office which he accepted under no such condition, nor any other but that of good behaviour—a condition which evinced the Intention of the Founders of our Constitution to be that the legislative executive and judiciary departments of the Government should not only be forever separate and distinct, but independent of each other so far, at least, as to prevent either of the three, or any two of them, from crushing or annihilating the constitutional Independence of the other. On a subject of such importance, I beg leave to avail myself of the language of the Court of Appeals in a remonstrance to the General Assembly, on a similar occasion, in which “they did not hesitate to decide, and in that decision to declare, that the Constitution and the Act of 1787 for establishing district courts were in opposition, and could not exist together, and that the former must control the latter,” which may be found on the records of that Court of the 12th of May, 1788.

“In forming their Judgments (they observe), they had recourse to that article in the declaration of Rights, that no free Government or the blessings of Liberty can be preserved to any people, but (among other things,) by frequent recurrence to fundamental principles, an article worthy to be written in letters of Gold. The propriety and necessity of the Independence of Judges is evident in reason, and the nature of their office since they are — decide between Government and the people as well as between contending citizens; and if they be dependent on either, corrupt influence may be apprehended sacrificing the innocent to popular prejudice, and subjecting the poor to oppression and persecution by the rich—and this applies more forcibly to exclude a dependence on the legislature, a branch of whom in cases of impeachment is itself a party. This principle supposed, the court are led to consider whether the people have secured or departed from it in the Constitution or form of Government. In that solemn act they discover the people distributing the governmental powers into three great branches, legislative, executive and judiciary, in order to preserve the Equipoise which they judged necessary to secure their liberty, and declaring that those powers be kept separate and distinct from each other, and that no person shall exercise an office in more than one of them. The Independence of the two former could not be admitted, because in them a long continuance in office might be dangerous to liberty, and therefore they provided for a change by frequent elections at stated periods; but in the last, from the influence of the principle before observed upon, they declared that the Judges should hold their offices during good behaviour. Their independence would have been rendered complete by fixing the Quantum of their

1811.
April 2,
Richmond

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Richmond

salaries, which perhaps would have been done if the duties of their office had been at that time ascertained. But although it was not then done yet in respect to this constitution gives a principle not to be departed from, declaring that the salaries shall be adequate and fixed, leaving to the Legislature to judge what would be adequate when they should appoint the Duties, and when they had done so, they exercised the whole power over the subject, and the salary was thenceforth to be considered as fixed while the duty should continue the same. And when public utility should require an increase or diminution of duty, there should be an analagous alteration of salary with this restriction, however that such regulation should not blend the Duties of the Judges of General court, court of Chancery, and Court of Admiralty, which the Constitution seems to require to be exercised by distinct persons, the Legislature appear to have so considered it in the arrangement of Courts."

"But the act (of 1787 for establishing district courts) now under consideration presenting a system which assigns to the Judges of the Chancery and Admiralty Jurisdiction in common law cases, which so far as it be considered as a new office, the labor of which would greatly exceed that of the former without a correspondent reward, and to the Judges the general Court Duties, which, though not changed as to their subject are yet more than doubled without any increase of salary, appeared evident an attack upon the Independency of the Judges that they found it inconsistent with a conscientious discharge of their duties to resign it over. For vain would be the precautions of the founders of our Government to secure liberty if the Legislature, though restrained from changing the tenure of judicial officers, are at liberty to *compel a resignation* by reducing to a copper, or by making it part of the official duty to become 'Hewers of Wood and drawers of Water.'"

The applicability of these remarks to an act increasing the heavy already enormous Duty of one hundred and twenty-six days' attendance in a Court of the last resort, overwhelmed with complicated and perplexing Business, to two hundred and fifty days in the year without the consent of those who are thus required to perform it, and without any compensation for the double duty thus imposed upon them, is too striking to require comment. And were the same venerable characters who then composed the Supreme Court of this Commonwealth still in existence and holding the same offices, I doubt not that they would on this, as that occasion, have declared "That they ought not to do anything officially in Execution of an act which appeared to be contrary to the Spirit of the Constitution."

These Sir are not the only reasons which have operated with me on the present occasion. For three and twenty years that I have had the honor of serving my Country in the Office of a Judge either of the

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Richmond

eral Court or the Court of Appeals, I have felt an honest pride in the fidelity with which I have endeavored to discharge my duty according to the best of my skill and Judgment. A generous Legislature interposed its shield to repel the shafts of villiany, malignity and slander which were on a former occasion aimed at my character. My gratitude for this noble act of Justice towards me will be commensurate with my life should it be prolonged even to centuries. I will not contrast with such exalted feelings those which the report of the Committee of the House of Delegates, who were appointed to enquire into the causes of delay in the Court of Appeals at the last session of the General Assembly was calculated to excite. If instead of oblique censure conveyed in hypothetical presumptions the committee had proceeded to a full and candid investigation of Facts, they would probably have furnished me with another occasion for the Expression of similar sentiments. Or if in their zeal for discovering what number of causes had been decided by the Court upon agreement, the Committee had turned to the Reports of Mr. Washington and Mr. Call, they might have discovered that those Gentlemen have reported only four hundred and thirty-one causes decided in a period of thirteen years, when the venerable Judge Pendleton presided and was assisted by four other Judges, making an average of thirty-three causes in a year, which is but one more than half the number which they report to have been decided last year. Or had any member of the Committee ever attended the Court or been conversant with the nature of the Business therein, his attention would probably have been directed to other causes of delay than the casual and possibly unavoidable absence of one or more Judges on the first day of a term of forty-four or fifty-five days duration. I shall take the liberty to mention some of them.

1st. Arbitrary appeals.

2. The smallness of the sum for which an appeal lies.

3. The number of Courts from which appeals now lie.

4. The trivial Errors for which writs of supersedeas may be granted.

5. Voluminous Records, extending often to hundreds of pages.

6. Voluminous, contradictory, and perplexing Depositions and other evidence contained in those records, and the duty of deciding Facts as well as Law in all but common law cases.

7. Voluminous reports of the commissioners in chancery, with the Exceptions and answers thereto, respecting intricate, perplex, and often unintelligible accounts and Transactions.

8. The unavoidable length of the arguments of Counsel arising from the preceeding causes.

9. The number of counsel engaged in every cause of any importance to the parties.

10. The examination of witnesses *viva voce* in cases of wills, mills, &c.

11. The frequent abatement of suits by the death of some of the par-

1811.
April 2,
Richmond

ties, and the difficulty of making new parties and of convening them before the court.

12. The novelty and difficulty of many cases which are brought before the Court for decision.

13. The time necessary for the Judges separately to peruse such voluminous records, to comprehend and decide upon the weight and conflicting evidence, and to investigate and decide the several questions of Law or Equity arising out of each particular case according to uniform principles.

14. The interruption frequently given to such an examination of the cases argued in court by Petitions for allowing appeals and writs of supersedeas, which not only occasion such frequent interruptions, but add very considerably to the labour of the Judges *out of court*, of which no traces appear upon the records of the court.

Some of these causes, Sir (for they did not all exist till within a few years past), and perhaps some others have contributed to swell the Dockett of the Court of Appeals from the small number of nineteen in November term, 1787, to four hundred and twenty-two causes in April, 1804, a period of sixteen years and a half. At the latter period I had the honor to become a member of the Court. I speak with confidence when I assert that not less than nine hundred and sixty causes have been disposed of since that time. I will not be positive as to the precise number of those which have been decided upon solemn argument in not a few instances engrossing three, four, five, and even six days each; but according to my notes, the number exceeds those reported by Mr. Washington and Mr. Call together during a period nearly double. Exclusive of these causes, the daily multiplying petitions for appeals from Decrees of the Superior Courts of Chancery and for writs of Supersedeas to Judgments at Common Law, which have been presented to the Judges of our Court and rejected during the Terms, the number of which cannot be ascertained, ought not to be forgotten. The number of causes on the Dockett the first day of last October term amounted not quite to five hundred and twenty, making an increase of about one hundred suits within the last seven years; though the number of Courts from which Appeals may now be brought is more than four-fold, and the cases in which the Judges may now be called upon to decide out of Court during the term, are also very much increased in number by allowing petitions for appeals not only from final Decrees in Chancery as formerly, but also from interlocutory Decrees, and even from the Refusal by a Judge of either of the Courts of Chancery to grant a Bill of Injunction, and from an order of dissolution. The interruption which these last causes occasion to the Judges in term time is almost incalculable, and they contribute their full proportion, not only to the labour of the Judges, but to the procrastination of the Decision of causes under their consideration.

I hope, Sir, that I shall be pardoned for the length of these remarks. The insinuation, however indirect that the delays in the Court of Appeals might possibly arise from a neglect of Duty in the members of it, as it was among the last in which I could have expected to have been in any manner implicated, imperiously demanded such a refutation from one who earnestly invites and will ever be ready to meet the strictest inquiry.

1811.
April 2,
Richmond

The March term, as formerly prescribed by law, having ended yesterday, and the Court having thought proper, in compliance with the late act, to adjourn to this day, I am under the necessity of making my election either to conform to the opinion of the other members of the Court, or to resign my seat therein.

Whatever personal Inconvenience I may be exposed to by resigning an office which I accepted under a full confidence that it would afford me an honorable and competent support for life, the conditions upon which I must henceforth hold it, should I continue to do so, are so much more greivous than any thing that I am willing to apprehend from a contrary course, that I have resolved to make the sacrifice which a just sense of Duty to my country, to my family, and to my own character seem to demand. I therefore beg leave to notify you, Sir, as the first Magistrate of the State, my Resignation of the office of Judge of the Court of Appeals, and I do resign the same accordingly.

Permit me to assure you, Sir, of my sincere respect and esteem.

I am, &c.

JAMES MONROE, GOVERNOR, TO THE LIEUTENANT-GOVERNOR.

Having accepted from the President of the U. States an appointment to the department of State, I am no longer the Chief magistrate of this Commonwealth. I have convened the Council to-day for the purpose of communicating this event.

April 3,
Richmond

In reconciling my mind to this measure, I have experienced great concern. Recollecting as I shall never cease to do with the most heartfelt gratitude the many strong proofs of confidence and kindness which I have received from the General Assembly, it has been impossible for me to withdraw from this station without feeling in an eminent degree the force of this sentiment. Conscious, however, that in going into the General Government, I am guided by some devotion to the interests of my country, which prompted me to accept the office which I now resign, I indulge the most confident hope that the measure will be approved.

The anxiety insuperable from this measure is much diminished by a knowledge that the best interests of the Commonwealth are not to be

1811.
April 3,
Richmond

injured by it. I am happy in the reflection that I leave them in safe and experienced hands.

In transferring to you the duties of the office, which is vacated by my acceptance of an appointment under the General Government, I feel regret at the additional burden which is thereby imposed on you. I am confident, however, that the opportunity which it affords you to render greater services to your country cannot be unacceptable to you.

With sentiments of high respect,

I am, &c.

JAMES ALLEN TO THE GOVERNOR.

April 4,
Shenandoah

I have the honor to acknowledge the receipt of your letter of the 30th ulto. by the express, Mr. Jackson, notifying me of being appointed by the advice of the council of State a Judge of the General Court in the room of Hugh Nelson, Esquire, resigned. The act establishing a superior court of Law in each County makes it necessary that the person appointed to a vacancy should after his appointment reside in the circuit for which he was chosen. I have no doubt but this would be dispensed with until the Executive appointment should be confirmed by the General Assembly, but when that was done I have as little doubt that residence will be considered indispensable, unless the Legislature should repeal that part of the Law, which can scarcely be supposed. Were I therefore, to accept of the appointment which the Executive have honored me with, and that appointment be confirmed by the next General Assembly, it would become necessary in order to retain it on my part, to remove to the circuit assigned to Mr. Nelson.

I have not sufficient knowledge of that part of the State to enable me at present to decide upon such a change.

When I come to view that part of the country I may be decidedly opposed to a removal thereto with my family, and of course have to resign the appointment. This would, in my mind, be not only capricious, but improper.

Upon this view of the case I consider it proper on my part to decline accepting of the appointment. In doing this I hope no injury will result to the Circuit, although there may be no Courts held there in this term. I enclose the Commission you were so polite as to forward me. Although a high sense of duty compels me to decline the appointment, be assured I fully appreciate the confidence reposed in me by yourself and the Council of State.

Be pleased to present to the members of the Council of State my sincere thanks for their friendship and good wishes towards me, and believe me to be with the truest respect and esteem,

Yours, &c.

WILLIAM CATE TO THE GOVERNOR.

Permit me to lay before your Excellency a statement of Facts. The British Schooner Union, some time in the month of February last, put into this port in Distress, the crew of which consisted of a Master, a Mate, and four seamen, two of which were slaves said by the Mate previous to his death to be his property. The day after the arrival of the Schooner, the Captain, Joseph Holmes, stabbed the Mate, Mr. John Van Auden, who lingered some few days and died. The Captain, apprised of the approaching death of the Mate, took the Bills of Sale, the only evidence of the property, *the slaves* being the Mates, advised the slaves to say they were free, then fled from Justice, and the Schooner sailed commanded by some other person. I have since got possession of those very Bills of sale, and in consequence of it being rumored abroad that these were free men, I had them carried before the Court of Norfolk Boro'; the one declared himself to be the very slave, and the other persisted in it that he was free. However, the Court concluded that they would retain them until they heard your Excellency's determination on the subject, being under the impression that they were imported into this State contrary to the tenor of the Act of General Assembly, entitled an act to reduce into one the several acts concerning slaves, &c., chapter CIII., the 4th section of which contains a number of exceptions—and I consider that slaves coming as Mariners and as part of a crew of a vessel not directly bound here but drove here against their will by distress, is one of those embraced by the latter clause of the section. The Court mean to lay this circumstance before your Excellency. I trust your Excellency will not disapprove of the Liberty I have taken to write you on the occasion. Having administered on the Mate's Estate, which is considerably in debt, and am ready and willing to enter into bond and security to remove them beyond the State agreeable to law. Permit me again to beg the favor of your acknowledgment of the receipt of this with your determination thereon (if I am consistant).

1811.
April 20,
Norfolk

I am, &c.

Be it known to all to whom these presents shall come, that we, Benj'n Shreve, D. Sheriff for Charles Bennett, Sheriff of the County of Loudoun, and Augustin Smith, D. Sheriff for Wiley Roy, Sheriff of the County of Fauquier, in our full counties held at the court-houses thereof on the 8th day of April, 1811, in the county of Loudoun, and on the 22d in the County of Fauquier, Respectively by the electors of our said Respective counties, qualified according to law, caused to be chosen a

April 20

1811. Senator for the District composed of the said counties, namely, John
April 20 Scott to represent the same in General Assembly.

Given under our hands and seals this 27th day of April, 1811.

BENJ'N SHREVE, for Charles Bennett. [Seal.]

AUGUSTIN SMITH, Deputy Sheriff for
Wiley Roy, Sheriff of Fauquier. [Seal.]

ROBERT NELSON TO THE GOVERNOR.

April 29, Your letter of the 27th of the month covering a commission to me
York Co. one of the Judges of the General Court, I have this moment received.
It is with great regret that I am compelled to refuse the appointment
which the Executive have done me the honor to confer on me. Permit
me, Sir, through you to assure them that I appreciate this testimony
their good opinion very highly, and that the refusal is produced by the
peculiarity of the circumstances in which I am at present placed.

I return the Commission enclosed.

I am, &c.

RICH'D CORBIN TO THE GOVERNOR.

May 12, In obedience to the Law pointing out the manner in which returns
King & the Representatives elected to serve in the Congress of the United States
Queen Co. shall be certified, I herewith enclose you a certificate of the election
John Roane, Esq., for the District composed of the Counties of King
Queen, King William, Essex, and Caroline, which I flatter myself you
will find correct. Be pleased to acknowledge the receipt of the certificate
as soon as convenient, and in so doing oblige,

Yr's, &c.

W. EUSTIS TO THE GOVERNOR.

May 17, In pursuance of an Act of Congress, relative to the Virginia Military
War Department reservation, dated August the 10th, 1790, a List was furnished by the
Department to the Executive of Virginia, containing the names of
officers and soldiers of the Virginia Line on Continental Establishment.
By the conflagration of the war office the copy of that List, together with
many of the original Records, from which it was extracted, were, it
presumed, destroyed; and a reference to those remaining being not only

tedious in process, but in many instances unsatisfactory in result, I am induced to request that your Excellency will be pleased to cause this Department to be furnished with a copy of the same.

1811.
May 17,
War Department

I am, &c.

JAMES ALLEN TO THE GOVERNOR.

I have the honor of your letter of the 20th ulto. informing me of my appointment as a Judge in the General Court in the room of Judge Coalter, translated to the Court of Appeals Bench.

July 2,
Shenandoah

I have also received the commission therewith enclosed. I shall not attempt to describe my emotions towards the Executive for this second evidence of their confidence. I shall only say that the high respect I entertain for them and the deference I have for the opinion of my friends has determined me to accept of the appointment. Upon making one tour through the circuit, I will be enabled to form a more correct opinion upon the propriety of my continuing to hold the office (should the Legislature in their wisdom think proper to confirm it). But should I find it incompatible with my situation to remove, I hope I will not be thought capricious in resigning. This I will be enabled to do during the setting of the next assembly.

Permit me, through you, Sir, to present my sincere thanks to the members of the Executive council for the honor they have been pleased to confer upon me, and believe me to be with sentiments of high respect and esteem,

Y'rs, &c.

P. N. O'BANNON TO THE GOVERNOR.

Owing to my absence from this place I had not the honor of receiving your friendly and polite answer to my letter of the 20th of April last, until last evening.

July 4,
Rupellville,
Ky.

I thank you for your communication, and as I contemplate visiting Richmond this fall will then have the pleasure of receiving from my native State a present of real value to me, as it will be a flattering proof of the approbation of my public conduct, which I consider as the most pleasing reward for my services.

I am much pleased to know that the Sword and Belt are of Virginia Materials and manufactured there, as it proves our independence of Europe, and also the progress of our infant Manufactories—and while a Carter lives we never shall want articles.

I am, &c.

 ROB'T MOSELEY, JR., TO THE GOVERNOR.

 1811.
 Sept. 2,
 New Canton

I have just received your letter of the 12th Inst., and in obedience thereto have the honor now to inform you that in compliance to the instructions of Gov'r Tyler, of the 20th of July, 1810, I have leased the Buck'm Furnace Lands in two tenements for the term of five years, commencing the first of January last, and have inserted sufficient covenants to prevent waste and to have the premises well enclosed. Those lands heretofore, I am sorry to inform you, have been very much depredated upon; most of the valuable pine timber has been cut off it.

This property has heretofore rented never for more than 70 dollars per annum. It is now leased for \$175 per annum, to be paid on the first day of January of each year.

The monies due for rents when I was commissioned to superintend this property, I have succeeded (with some little difficulty) to collect, which shall be paid into the public treasury when I go to Richmond, which will be in the course of ten days, and a statement of accounts lodged in your department.

I am, &c.

JOHN COALTER TO THE GOVERNOR.

 October 24,
 Richmond

I have duly received yours of the 21st Inst., informing me that my letter to the Executive of the 1st of June last had been mislaid, and requesting a copy if I had kept one.

I am sorry that it should be necessary to lay a copy of that letter before the Legislature, as it was written in a hurried moment, and that circumstance not foreseen or suspected at the time it was written.

I have found my rough copy of that Letter, from which I copy the enclosed, and beg that if it is compatible with your duty it may not be laid before the Legislature.

I am, &c.

RICHMOND, *June 1st, 1811.*

Geo. W. Smith, Esq'r, Lieutenant-Governor of Virginia:

SIR,—I am sorry that imperious circumstances have put it out of my power to make an earlier reply to your letter covering a commission to me as Judge of the Court of appeals.

Before accepting the high honor conferred on me by the Executive, it became my duty to weigh the consequences, at least so far as they related to myself.

As they relate to my Country I fear my utmost exertions and zeal for the public service which is all I can promise, will fall far short of what the community ought to possess in a Judge of that Court. As they relate to myself—independent of the consideration that the Legislature may find it inexpedient to confirm your appointment, they are very serious. My pecuniary means do not admit of a permanent establishment with my family in Richmond, and the labour at present required of that Court, were it to continue for life, would be beyond the strength of my constitution.

1811.

I find however that there is every reasonable ground to expect that these labours will not be perpetual, and that at no great distance of time a constant residence in Richmond will not be necessary in order to discharge the Duties of the Office; under this expectation and belief, and relying on the justice and magnanimity of my Country I have thought proper to accept the office with which I have been honored.

I have been thus particular not only as affording some apology for my delay in accepting the Office, but that in case my expectations to realize which my best exertions shall not be wanting, should prove vain, any future course I may be *obliged* to take may not bear the imputation of inconstancy or caprice.

I do therefore hereby notify the Executive of my acceptance of the Office of a Judge of the Court of Appeals to which they have been pleased to appoint me.

Your obt. servant,

JNO. COALTER.

CHAS. SIMMS (PRES'T), HUGH SMITH, JACOB HOFFMAN, ISREAL LACEY AND BURR POWELL TO THE GOVERNOR.

The President and Directors of the Little River Turnpike Company having completed the Little River Turnpike road from the intersection of Duke Street, in the Town of Alexandria, with the south west line of the District of Columbia, to the ford of Little River, and eight miles of said road not having been yet viewed and examined, respectfully request your Excellency to appoint three skilful persons to view and examine the same agreeably to the 7th section of the act entitled an act to incorporate a company for establishing a turnpike road from the intersection of Duke Street, in the Town of Alexandria, with the south west line of the District of Columbia to the ford of Little River, where the turnpike road crosses it, and the act to amend the same.

Dec. 2,
Alexandria

We are, &c.

1811. The Commonwealth of Virginia, to-wit:

Know you that it having been duly certified to me by Charles Simms, Hugh Smith, Jacob Hoffman, Israel Lacey and Burr Power Esqrs., the President and Directors of the Little River Turnpike company, that they, the said President and Directors of the said Company, have completed the said Little River Turnpike road from the intersection of Duke Street, in the town of Alexandria, with the Southwest line of the District of Columbia to the ford of Little River, and that eight miles of the said road have not yet been viewed and examined, and the said President and Directors having requested the appointment to be made of three skilful persons to view and examine the same agreeably to the 7th section of the act, entitled "An act to incorporate a Company for establishing a Turnpike road from the intersection of Duke street, in the Town of Alexandria, with the southwest line of the District of Columbia to the Ford of Little River, where the Turnpike Road now crosses it," I have, therefore thought it proper, pursuant to the said 7th section of the said recited act, and do hereby accordingly appoint you, Humphreys Peake, Stephen Beard, and Charles Tyler, Jr., to view so much of the said Turnpike Road as hath not been heretofore viewed and examined, and report to me whether the same is so far executed according to the meaning of the said recited act.

Given under my hand and under the seal of the Commonwealth of Virginia, at Richmond, this 7th day of December, in the year of our Lord 1811, and of the Commonwealth the thirty-sixth.

GEO. W. SMITH.

HUMPH. PEAKE AND STEPHEN BEARD TO THE GOVERNOR.

1812. Certifying the view and examination of an additional eight miles of the Little River Turnpike Road, and that the same has been executed according to the meaning of the act authorizing its construction.

IN THE HOUSE OF DELEGATES, *January 7th, 1812*

On this day, by joint ballot of both Houses of the General Assembly, the Honorable Peter V. Daniel was duly elected a member of the Executive Council to supply the vacancy occasioned by the appointment of the late George William Smith to the office of Governor.

WM. MUNFORD, C. H. D.

Henrico County, to-wit:

This day Nathaniel H. Claiborne, elected a member of the Privy Council by joint ballot of both Houses of the General Assembly, appeared before me, Nath'l Selden, a Justice of the peace for the County aforesaid, and took the oath of fidelity to the Commonwealth, the oath to support the Constitution of the United States, the oath of the Privy Councillor, and the oath prescribed by the act to suppress duelling.

1812.

Given under my hand this 8th day of January, 1812.

NATH'L SELDEN.

Henrico County, to-wit:

I do certify that I have administered the oaths prescribed by Law, to be taken by a member of the Privy Council, or Council of State, unto James Wood.

Given under my hand this 8th day of January, 1812.

NATH'L SELDEN,
A Justice of the Peace for said County.

Henrico County, to-wit:

I do certify that I have administered the oaths prescribed by Law, to be taken by a member of the Privy Council, or Council of State, unto Peter V. Daniel.

Given under my hand this 9th day of January, 1812.

NATH'L SELDEN,
A Justice of the Peace for said County.

E. GERRY TO THE GOVERNOR.

I am again called on to perform a duty mournful in the extreme, but grateful to my feelings as it respects the weeping Richmond.

January 14,
Boston
Council
Chamber

The Legislature of this Commonwealth having expressed in terms which require no comment, their affectionate condolence "on the sudden and awful calamity" which befel that afflicted city, I have the honor to enclose their resolutions on the subject.

Permit me, Sir, to repeat the high estimation and respect with which I remain your obed't Servant.

P. S. On the 6th Inst. the Supreme Executive agreed to wear the mourning usual on such occasions for the session.

1812.
January 14,
Boston
Council
Chamber

COMMONWEALTH OF MASSACHUSETTS.

The members of the Legislature of this Commonwealth, deeply affected by the sudden and awful calamity which has deprived the State of Virginia of its Chief Magistrate and the city of Richmond of many distinguished inhabitants, by a conflagration in its effects unexampled in the history of their country, can not for bear the expression of the unaffected sorrow and sympathy which they, in common with their constituents, feel on this melancholy occasion.

In testimony whereof, It is Resolved, That we will wear the usual badge of Mourning on the left arm for the space of twenty days.

Resolved, That His Excellency the Governor, be requested to transmit a copy of this Resolve to the Executive of the State of Virginia, to be communicated as may be thought proper to the Legislature of that State and the afflicted inhabitants of Richmond.

IN SENATE, *January 9th, 1812.*

Read and passed. Sent down for concurrence.

SAM'L DANA, President.

IN THE HOUSE OF REPRESENTATIVES, *January 10th, 1812.*

Read and unanimously concurred.

JOSEPH STORY, Speaker.

COUNCIL CHAMBER, *13th January, 1812.*

Approved.

E. GERRY.

SECRETARY'S DEPARTMENT, *13th January, 1812.*

The foregoing is a true copy.

Attest :

BENJAMIN THOMAS,
Secretary of the Commonwealth.

IN THE HOUSE OF DELEGATES, *Wednesday, January 22, 1812.*

On this day, by joint ballot of both Houses of the General Assembly, the Hon'ble James Allen was elected a Judge of the General Court of this Commonwealth, to supply the vacancy occasioned by the resignation of the Hon'ble John Coalter,

WM. MUNFORD, C. H. D.

IN THE HOUSE OF DELEGATES, WEDNESDAY, *January 22, 1812.*

1812.

On this day, by joint ballot of both Houses of the General Assembly, the Hon'ble Peter Randolph, Jr., was elected a Judge of the General Court of this Commonwealth to supply the vacancy occasioned by the resignation of the Hon'ble Wm. H. Cabell.

WM. MUNFORD, C. H. D.

IN THE HOUSE OF DELEGATES, WEDNESDAY, *January 22, 1812.*

On this day, by joint ballot of both Houses of the General Assembly, the Hon'ble Daniel Smith was elected a Judge of the General Court of this Commonwealth to supply the vacancy occasioned by the resignation of the Hon'ble Hugh Nelson.

WM. MUNFORD, C. H. D.

BY THE GOVERNOR OF THE COMMONWEALTH OF VIRGINIA—A
PROCLAMATION.

Whereas Various complaints from militia officers and others of the inconvenience of the uniform (now established) have been made to the Executive of this Commonwealth, for remedy whereof, I have thought fit, by and with the advice of the Council of State to issue this proclamation, prescribing the Uniform of the Militia of this Commonwealth to be as follows:

For the General Officers.—A dark blue coat, skirts lined with buff, cape, lapels, and cuffs buff, yellow buttons, gold epaulets, (one on each shoulder) black cocked hat, with black cockade and black stock.

For the Artillery.—A blue coat, skirts lined with red, cape, lapels and cuffs red, vest buff, overalls blue, edged with red, yellow buttons, a cocked black hat with red cockade.

For the Light Infantry.—A dark blue short coat, with half lapels, cape and cuffs white, white lining and buttons, vest white, and overalls blue, with white seams, black half boots, black stock, a round hat, cocked on the left side, with black cockade.

For the Grenadiers.—A dark blue coat, cape, lapels, and cuffs white, white lining and buttons, white vest, and blue overalls with white seams, black half boots, black stock, cocked hat, with black cockade.

For the Riflemen.—A linen hunting shirt of purple color, with overalls of the same, leather mockisons or shoes, round hat, cocked on the left side, with black cockade and black stock.

1812. For the main body of the Militia.—A blue hunting shirt, trimmed with red fringe, blue overalls with red seams, round hat cocked on the left side, with black cockade and black and red plume, black gaiters or half boots; the officers' uniform to be dark blue coat, cape, lapels and cuffs red, white lining and buttons, white vest, blue pantaloons with red seams, black stock, cocked hat with black cockade.

For the Cavalry.—A short dark blue coat, with yellow buttons, white lining, half lapels, cuffs and cape red, white vest and leather breeches, jack boots, spurs, black stock and black leather cap, dressed on the crown with bear skin, and decorated with a light blue sash and red and white plume.

The officers of the main body of the militia, of the light infantry, grenadiers, riflemen and cavalry, to be distinguished by epaulets of silver; the officers of artillery to be distinguished by epaulets of gold. The field officers to wear two epaulets, the captains one on the right, and the subalterns one on the left shoulder. All officers to wear side arms and boots.

Provided, however, That where any troop of cavalry, company of artillery, grenadiers, light infantry, riflemen, or the main body of the militia, shall have provided themselves with an uniform different from that herein prescribed, they are respectively permitted to wear the same for six months from and after the date hereof.

Given under my hand as Governor, and under the seal of the Commonwealth, at Richmond, this twenty-third day of January, in the year of our Lord, one thousand eight hundred and twelve, and of the Commonwealth, the thirty-sixth.

[SEAL.]

JS. BARBOUR.

B. TATE TO THE GOVERNOR.

January 27,
Richmond

I had the honor of receiving your Excellency's favor of the 25th Inst. late in the evening of the same day, accompanied with a letter from the Governor of Massachusetts, and a copy of the Resolutions of the Government of that State expressing their sympathy, and that of their constituents on the late ever to be deplored awful visitation with which this city hath been afflicted by the conflagration of the Theatre.

The letter of the Governor, and the resolutions of the constituted authorities of the State of Massachusetts, I have submitted to our fellow-citizens through the medium of the public papers, being the course I had given all the communications received from cities, Boroughs and committees on the mournful occasion—which have been so numerous, and so very expressive of a participation in our Sorrows, that even in those gloomy hours I trust they afford some consolation to the mourners,

that their irreparable losses are feelingly deplored by our Bretheren throughout this great confederation of Republiks.

1812.
January 27,
Richmond

All communications directed to me I have acknowledged, and presuming Governor Perry's will be by your Excellency, I conclude I have discharged all required of me.

I am, &c.

HUGH NELSON AND THOS. GHOLSON TO THE GOVERNOR.

The undersigned having been appointed by the Virginia delegation in Congress a committee to devise the most efficacious method of supporting the claims of the Virginia revolutionary State troops against the United States for lands, request of you such information on the subject as you may be able to afford, and within as short a period as may suit your convenience.

February 5,
Washington

We have the honor to be, Sir,

Yours, &c.

To His Excellency the Governor of the Commonwealth of Virginia :

SIR,—Pursuant to the 2nd Section of the Act entitled "An Act incorporating a company to have a road from the western extremity of the Little River Turnpike road through Ashby's Gap to Shenandoah River, passed January 30th, 1810, a meeting of the subscribers to said Company took place at Paris on the 18th day of November last past, by a call of the Commissioners, at which time and place the undersigned were elected officers of the said Company to conduct the business thereof for one year, and until such other officers may be chosen by a majority of the votes of the subscribers given in person and by Proxy duly authorized.

Given under Our hands this 11th day of Dec., 1811.

BURR POWELL, President;
JAMES HIXON,
SYDNOR BAILEY,
DANIEL VERNON,
JOSEPH CARR.

WM. SHARP (LT.-COLONEL 54TH REGIMENT) TO THE GOVERNOR.

On thursday last the 20th Instant, departed this life Brigadier-General Thomas Mathews. I have communicated this melancholy event to Col.

February 24,
Norfolk

1812.
February 24,
Norfolk

Cropper of Accomac, who is now the Commandant of the 9th Brigade. Considering that the Executive should have early official notice of the death of General Mathews, and believing some days must elapse ere Col. Cropper can notify the same to the Executive, I have taken the liberty to make this communication to your Excellency.

I am, &c.

JOHN CROPPER, JR., TO THE GOVERNOR.

March 6,
Accomack

I received last night a letter from Colonel William Sharp of the 54th Regiment, announcing the death of Brigadier-General Thomas Mathews—that he departed this life the 20th ultimo. As by this melancholy event the command of the ninth Brigade devolves on me as senior officer, I feel it my duty to give your Excellency immediate official notice thereof.

I am, &c.

EDMUND CHRISTIAN TO THE GOVERNOR.

March 28,
Williamsburg

I take the liberty of addressing you in order to acquaint you of the death of the Hon'ble Sam'l Tyler, esqr., Judge of the Chancery district Court holden at this place. He died very suddenly this morning at 5 o'clock, and believing that your Excellency will conceive it all important that an appointment should be made as early as possible, as our next term will commence on the first day of April next, I hasten to inform you of this sudden dissolution.

I am, &c.

Confession made before John Floyd and Henry Edmonson, Justices of the peace for the County of Montgomery, on the 2nd of April, 1812, by a negro man now in the jail of said County, who calls himself Tom, and says he is the property of John Smith of the County of Henry in this State, who he (Tom), murdered on monday, the 23rd day of March last past as he confesses, being instigated thereto by a woman the property of said Smith by the name of Celia.

Question. Have you any knowledge of other negroes other than the woman before mentioned who are disposed to rise in order to kill their masters?

Answer of Tom. I know of a great many—thirty or forty who appear to be instigated to kill their masters by a negro man in the County of

Rockingham, N. Carolina, by the name of Goomer, who is called by the negroes a conjurer. A negro man Jack, the property of the widow Wit, told me to kill my master; that I could not be hurt for it, and that Goomer would conjure me clear, and that when they got fixed they intended to rise and kill the white people. That George Harsten of Henry was to be poisoned by himself (Jack), the poison to be furnished by Goomer. That W. Hill was to be waylaid and shot by Tom, boy, the property of (master not known to him), and one of Goomer's men; and he was to be paid 200 lbs. of Hemp for it by W. Hill's Hannah. Major Redd of Henry was to be poisoned by Jack, the poison to be furnished by Goomer.

1812.

Celia told me that the widow Penn's Jim of P. C., who has a wife at Mr. Staples in Henry, that if he was in my place he would not serve any master any longer, but wait till he could meet him coming home drunk and kill him, but that he must not kill him in the plantation. The negroes in the neighborhood said that these British people was about to rise against this Country, and that they intended to rise sometime in next May. That they were buying up guns for the purpose. That they said they were not made to work for the white people, but they (the white people), made to work for themselves; and that they (the negroes), would have it so. That the plan in that neighborhood was first to break open Ned Staples' store in order to get the Guns, powder, &c., out of it—that they would then raise an army, Goomer was to be one of their head men, and George Powell's Harry another. Mrs. Wit's Jack said he would make haste and learn all he could (being at the time nearly equal to Goomer in conjuration), and get as high as he could. The negroes in the neighborhood said they were glad that the people were burnt in Richmond, and wished that all the white people had been burnt with them. That God Almighty had sent them a little Hell for the white people, and that in a little time they would get a greater. That the negroes in his neighborhood had sent word by —, a negro waggoner for Mr. Staples, of their plans to the negroes at Lynchburg and received for answer to be ready in May next. The plan was to rise about the middle of May in the night and do all the mischief they could before they were found out. That I said when he was in Lynchburg the white people were draughting and exercising, but what was that—it would do no good, and that when the negroes rose they would put a stop to it. That there were ten negroes for one white man.

Question. Did you ever hear them say whether they intended to murder the white women and children, or not?

Answer of Tom. I never heard them say.

Question. How did you hear that the British were about to rise against this country.

1812. Answer. It was heard from the poor people in the neighborhood, and by hearing the newspapers read.

He further stated that he was to have killed his master some time before. That on Saturday he was to kill him, and that he and his master passed two or three miles together, but he could not. That he and the negro woman (Celia) had a further conversation about it on Sunday night, and the next day about 1 o'clock he killed him. That when he returned to the house on the evening, the negro woman (Celia) asked him if he had killed his master. He told her he had. She told him to take a horse and clear himself. He told her he did not wish to go then, that they would think he had killed his master. She told him he must not stay there, that if he did she would be brought in with him; on which he started, and that he met with a negro woman of a Mr. Hall's in Franklin. That he told her he was a runaway, and that he had killed his master. Also that the negroes were shortly to rise against the white people. She said they could not rise too soon for her, as she had rather be in hell than where she was.

JOHN FLOYD,
HENRY EDMONDSON.

JOHN FLOYD AND HENRY EDMONDSON TO THE GOVERNOR AND MEMBERS OF THE COUNCIL.

April 10,
Montgomery

The underwritten, John Floyd and Henry Edmondson, Justices of the peace of and for the County of Montgomery, would respectfully represent that since taking the above confession we have thought it advisable and a duty incumbent on us to make known to your honorable body the enclosed confession, together with a few reflections, the result of our inquiries:

It appears from information that the prisoner Tom had been in the neighborhood where he committed the murder not more than six or seven months. That he is young and artless, and till the crime of which he is now charged, was under a good character. He was induced to make the above disclosures under an impression that it would be the best atonement now in his power for the offence which he has committed, and that a full and honest confession might possibly recommend his case to the consideration of your honorable body, and we feel ourselves bound to state that in his communications to us he appeared to be governed by principles of truth and rectitude, as he could have no inducement to implicate persons who were innocent, and from his short stay in the neighborhood, and the distrust of the negroes who did not know how far they could with safety develop the nature of their conspiracy, he did not obtain full information with respect to their conspiracy, he did not

obtain full information with respect to their meditated rebellion. As far as we have been able to judge from the information of persons coming immediately from his neighborhood, who came to remove him to the County of Henry, he appears to be entirely correct as well with respect to the characters mentioned in his confession, as with respect to the time and manner alluded to; and we have no hesitation in believing under all the circumstances, that an attack is meditated by the blacks, and that a deep and extensive plan is now in agitation against this country, and in troubling your honorable body with the foregoing remarks, the undersigned have no other apology to offer than that in the present situation of our Country, it is not we apprehend an extravagant idea to conclude that the negroes are under an impression that it is now in their power to liberate themselves, and that such steps may be taken for the purpose of obtaining the testimony of the prisoner (Tom) as to your honorable body may be deemed the most advisable, is the object of your most

1812.
April 10,
Mont-
gomery

Obed't servants,

JOHN FLOYD.

HENRY EDMONDSON.

NOTE.—Since the above discoveries the undersigned would further represent to your hon'r body, that from the most respectable information a spirit of rebellion is very obvious in this country, and in places where the greatest humility and obedience had hitherto been observed, by us this 10th day of April, 1812.

WM. EUSTIS (SECRETARY) TO THE GOVERNOR.

I am instructed by the President of the United States to call upon the Executives of the several States to take effectual measures to organize, arm, and equip according to Law, and hold in readiness to march at a moment's warning their respective proportions of one hundred thousand Militia—officers included—by virtue of an Act of Congress past the 10th inst., entitled “An Act to authorize a Detachment from the Militia of the United States.”

April 15,
War Depart-
ment

This, therefore, is to require of your Excellency to take effectual means for having Twelve thousand of the Militia of Virginia (being her quota) detached and duly organized in Companies, Battalions, Regiments, Brigades, and Divisions within the shortest period that circumstances will permit, and as nearly as possible in the following proportions of Artillery, Cavalry, and Infantry, viz.: One-twentieth part of Artillery, one-twentieth part of Cavalry, and the residue Infantry. There will, however, be no objection on the part of the President of the United States to the admission of a proportion of Riflemen duly organ-

1812.
April 15,
War Depart-
ment

ized in distinct Corps, and not exceeding one-tenth part of the whole quota of the States respectively. Each Corps should be properly armed and equipped for actual service.

When the Detachment and organization shall have been effected, the respective corps will be exercised under the officers set over them, but will not remain embodied, or be considered as in actual service until by subsequent orders they shall be directed to take the field. Your Excellency will please to direct that correct Muster Rolls and Inspection Returns be made of the several Corps, and that copies thereof be transmitted to this Department as early as possible.

I am, &c.

SAMUEL MCGUIRE TO THE GOVERNOR.

April 15,
Romney

Whenever we are compelled by the insolent and perfidious conduct of a foreign government to relinquish the happy situation in which our Country so long has flourished, and resort to war, it becomes a duty in every citizen to make a solemn declaration of his determination to support his government in the prosecution of such war to the utmost limit of his means.

In compliance with this duty, and under the impression that an appeal to arms is inevitable, I take the liberty of reiterating to your Excellency a tender of services made to the Executive of Virginia in 1810, on receiving the appointment of Major in a Regiment of Volunteer Riflemen to have been commanded by Colo. McFarland.

Aware of the importance of the station in which I ask to be employed, it is with diffidence I make the offer. However, should I be honored with the confidence of your Excellency and the Executive council, my zeal and attention to the service will, I hope, enable me successfully to combat my want of experience.

I am, &c.

JAMES FAULKNER TO THE EXECUTIVE.

April 16,
Martins-
burg

Being commissioned as a Captain in the 3rd Regiment and 3 Division of Virginia Artillery, you will please accept this as my Resignation thereof. The Public Arms which I have receipted for to the Superintendent of the Armory will be delivered up upon receiving orders from your Hon'ble Body so to do.

I am, &c.

WM. SHARP (LT.-COLONEL 54TH REGIMENT) TO THE GOVERNOR.

I hasten to acknowledge to have received your Excellency's letter under date "Richmond, March 31st, 1812," containing orders forthwith upon the receipt, to cause an inspection to take place of all the arms heretofore delivered to the Regiment under my command, and to report their condition without delay to the Executive department. I have issued the necessary orders, and will comply with those of your Excellency as far as it is in my power. I avail myself of the present opportunity to beg leave to call your Excellency's attention to my letter of the 12th Inst., and in addition thereto as a further ground to show the necessity of a compliance with the request therein contained (especially as regards the Virginia made arms), to state that it is impossible for me to make a correct report of the arms that have been received by the 54th Regiment, either before I had the command or since for the following reasons:

1812.
April 18,
Norfolk

Because no report has ever been given to me by my predecessor, nor was it in his power to have done so in consequence (independent of many other causes,) of the immense loss of the Public Arms in the great fire at this place during his command, the amount of which never was ascertained, although every effort under the law was made by him for that purpose; he could have obtained this information in no other way than by calling in the remaining arms and redistributing them, which measure the law did not authorize, and consequently was not done; and if I mistake not the Executive were made acquainted at that time with all the circumstances.

I cannot make a correct report of the arms received by me during my command, because, among other things, I was absent from Norfolk before and during the whole time the arms of this Regiment underwent, by order of the Executive, by their special agent, the proof that caused great numbers to burst, of which no report has been made to me by Major Lindsay, who was the commandant in my absence, nor have I been able to obtain this report. Indeed, I have been informed that no blame can properly be attached to Major L. on this account, in consequence of the loss by accident of the documents.

Because from the nature and particular situation of this place, persons subject to Militia duty to whom public arms have been delivered, are constantly coming and going, removing from place to place, and in many instances carrying their arms with them, and never again, either man or musket, heard of; and this will be forever the case under the present system. I have, indeed, collected many stands of arms from the neighboring counties that have been carried away, and in one instance received a musket from Petersburg through the agency and politeness of Col. Byrne. I trust I shall be excused by your Excellency if I endeavour to

1812.
April 18,
Norfolk

point out a remedy for this great evil, and to ask the consent and aid of the Executive, should the plan be approved, to carry it into execution without loss of time.

I am persuaded that the expenses will be much less to the Government than otherwise will be the amount of loss in the public arms should the present system be continued; and what is of all importance by the adoption of the plan now proposed, there will be a certainty of having the arms at all times in perfect good order, ready at a moment's warning for service; whereas on the contrary, as the arms are now distributed, one-half or more perhaps are constantly out of order, and are only brushed up on the day or the day before each parade, and then not fit for service.

The plan I submit to your Excellency is to authorize the establishment of a place of general deposit where such part of the arms of each company shall be racked separately as shall be considered impolitic to be trusted in the hands of persons not permanently to live in this Town; a man competent to be employed to be constantly at the place, whose duty it shall be to clean, repair, and keep all the arms in good order, and to deliver and receive them each day of parade and wherever necessary.

I again respectfully request that what is asked in my letter of the *12th may be granted, and that your Excellency may be pleased to answer that letter and this at an early day.

I am, &c.

[*This letter was not found.—Ed.]

ROBERT B. TAYLOR TO THE GOVERNOR.

April 27,
Norfolk

I accept the commission you did me the honour to present. This unsolicited boon of Executive confidence is more highly prized by me from the critical moment at which it is conferred. The only return I can expect to make whensoever my country may call for my services, is to carry with me an entire devotion to her honor and an ardent zeal to sustain the glory of her arms. In these qualifications I may venture to hope I shall not be entirely deficient.

The seal of State has not been affixed to the Commission. It is returned that the omission may be supplied.

I am, &c.

W. EUSTIS (SECRETARY) TO THE GOVERNOR.

I have the honor to acknowledge the receipt of your Excellency's letters of the 17th and 18th instant, and I am instructed by the President to express to you the great satisfaction derived from the prompt and energetic measures which have been adopted for calling out the Militia on the requisition of the 15th instant. The protection and defence of the harbor of Norfolk and the Seaboard have not failed to engage his attention; an additional supply of arms and munitions have been ordered to that quarter.

1812.
April 30,
War Department

In making the detachment of Militia, regard will, of course, be had to their locality, and to the particular defence of Norfolk; and I beg leave to suggest to your Excellency the expediency of forming and organizing two or three companies of Artillerists from the vicinity of that place, with directions to the commanding officer to report when their organization shall be completed, to the commanding officer of the port, in order that they may be in readiness at a moment's warning to repair to the stations which may be allotted to them.

I am, &c.

JAMES FAULKNER TO THE GOVERNOR.

Having received papers by last mail containing General Orders of the 19th Inst., I take the liberty to enclose for your Excellency's Information a correct return of my Company, and situation of the arms and ordnance which is in my possession, and if you will authorize me to have any repairs or alterations made that we can act with greater effect in case of a necessity to use them, it shall be immediately attended to on receiving your instructions.

May 1,
Martinsburg

As a duty I owe to myself and the men whom I have the Honor to command, I will state to your Excellency the reason I then had for wishing to resign my command. At our Parade I wished the Company to volunteer their services, and as the Volunteer Law had not reached here, some evil disposed persons circulated a report that the term of service was five years, and it was not my intention to go with them. Not knowing anything of the report I immediately wrote my resignation. Now if it is not too late I hope your Excellency and the Council will not notice it, as it is my particular wish and the wish of the Company for me to retain the command until our affairs is settled.

I am, &c.

JOHN TYLER, JR., TO THE GOVERNOR.

1812.
May 4,
Chas's City
County

Actuated by a desire to take an active part in the approaching crisis of our national affairs, and disdaining to be considered wanting in patriotism, many citizens of this county have concluded to form themselves into a Volunteer Company. The principle object of the Association is to exempt the 52nd Regiment from a Draft, although some of them would be willing to march under any respectable officers who may be placed over them, yet all express a great desire to have Officers of their own choosing, and to be regularly organized as an independent company. I am well convinced that if they could be gratified in their wishes, the company would be completed in a day; but that otherwise it will be a difficult matter to obtain the requisition except by draft.

I cannot conceive any reasonable objection to organizing and commissioning new Volunteer Companies. It certainly is preferable to raise the quota from this State in that way to any other. If a draft be resorted to, some of the most indifferent men may be obtained, whereas Volunteer Companies are generally, if not always, composed of the stoutest and bravest.

This consideration together with the distress incident to a draft in separating persons from their families, who in their absence may experience all the misery arising from want, will, I trust, induce you to grant our request.

A speedy notification of your determination on this subject will be thankfully rece'd.

I am, &c.

FRANCIS M. BOYKIN TO THE GOVERNOR.

May 6,
Isle of
Wight C. H.

Having understood that Major Robert B. Taylor, of Norfolk Borough, has been promoted to the rank of Col. of the horse, and consequently it will be necessary for the Executive to supply the vacancy occasioned by his promotion, I have taken the liberty to drop the Executive a few lines on the occasion, recommending Captain Richard W. Byrd as a fit and proper person to supply that vacancy, and as one of the most expert and alert officers of that department to supply the vacancy occasioned by the promotion of Major Taylor. Capt. Byrd is an officer of superior military talents, and who would distinguish himself if ever opportunity offers.

At this eventful moment when the horrors of war threaten to seize our Country, an officer of his skill would be most materially missing in the field. I have seen at various times the Cavalry of the differen

Regiments on parade, and have never seen one to surpass that commanded by Capt. Byrd, and in my opinion not to equal it.

1812.
May 6,
Isle of
Wight C. H.

I am, &c.

ELISHA BOYD (LIEUTENANT-COLONEL COMMANDANT SIXTY-SEVENTH REGIMENT) TO THE GOVERNOR.

I received the orders of General Singleton yesterday enclosing a copy of your General orders of the 19th ult. I observe in your General Order that Capt. Harrison's Rifle Company, from the 67th Reg't, is ordered entire, and Capt. Faulkner's Company of Artillery from Jefferson.

May 7,
Martinsburg

There has never been a man the name of Harrison who commanded a Company in the 67th Regiment since my recollection. The Rifle Company attached to the 67th Reg't was raised by Captain Jeremiah Evans. On his removal from this State a Mr. Mason, Lieutenant, succeeded to the command of the Company. He has been recommended as Captain (as I have understood), but has not received his commission. This, I presume, is the Company intended to be ordered entire. I shall by next mail forward to you recommendations for the officers, and shall consider this company the one ordered unless otherwise instructed. I presume also that Capt. Faulkner's Company of Artillery from Berkeley is the one ordered. I shall immediately have these Companys mustered, ascertain the number of men, including officers, and be prepared to make up the additional number required from the 67th regiment when the regiment convenes. I shall order the regiment to meet as soon as practicable.

The bearer of this letter, Mr. Waggoner, will return to this county previous to the meeting of the regiment, and I should be glad to know from you whether I shall consider Mason's Company of Riflemen and Faulkner's Company of Artillery the two entire Companies ordered from the regiment.

These companys each excede 60 men, and I flatter myself will not be excelled by any Companys in this division. They want nothing but experience. You will receive enclosed recommendations for several officers. All of their recommendations have been enclosed to the Executive excepting the last, but no commissions have been received. I hope you will cause the commissions to be made out, and enclose them to me by the bearer, so that they can be delivered to the officers before the Regiment convenes.

I am, &c.

ELISHA BOYD (L'T-COL. COM'D'T 67TH REG'T) TO THE GOVERNOR.

1812.
May 9,
Martinsburg

Capt. James Faulkner, of the Artillery, has this moment called on me and informed me that he some time since forwarded to you his resignation; that you are fully possessed of the reasons then operating with him for thus acting, and that on the first of this month he wrote you requesting that his resignation should not be received by the Executive—that he had determined on continuing in commission in consequence of prospect of war; and his company being called into service, he is extremely anxious to retain the command of the company, and if the services of the company should be required they are ready to march.

If the resignation of Capt. Faulkner is accepted at this time our country will sustain a considerable loss. He is a man of military pride and ambition, and for his opportunities is not excelled by any officer in the State. He has about 60 men, the most of whom are men of pride and ambition, and possessing considerable property. On such men we may rely if called into the field. Unless it should be too late, it is the wish of Capt. Faulkner to recall his resignation. If his resignation has been accepted, I hope he will be reinstated, to take rank agreeable to the date of his former commission. Mr. Tabb, the bearer of this letter, sets out immediately for Richmond, and will return direct to this place, which will afford an immediate opportunity of letting me know the pleasure of the Executive, which will be important previous to the meeting of the Regiment.

I am, &c.

WILLIAM TATEHAM TO THE GOVERNOR.

May 10,
Princess
Anne

Parson Walke, by whom I wrote your Excellency this morning, having returned home to set off for Richmond again to-morrow, I transmit you a rough copy containing fifty-six pages of the report desired, without detaining it for a fair transcript. If it is printed (which perhaps in the present state of things may be deemed proper,) I would be glad to be favored with a few impressions, which may enable me to obtain assistance and revise my ideas at better leisure.

In this event I request that the appendix may be increased by inserting the substance of my defence of Norfolk, my telegraphic drawings &c., and my general precautions against insurrection, &c., with an index for sake of more easy official reference. The Hints towards fortifying Norfolk, &c., you carried with you to Richmond, the other two can be furnished by Mr. Monroe. These will form more than one hundred pages in Octavo with plates which will be the most convenient method of printing such a series, and I hope the desire I have to render them

useful in the public offices will merit paper and print. If they are not printed, I rely on you having copies made and saving for me the rough originals.

1812.
May 10,
Princess
Anne

There will then remain of the task I have thus prescribed to myself—
1. A notice of the defence of Cape Charles. 2. The fortification of commanding points in this lower country, with the reasoning in each particular case. 3. Shell and shot proof fortifications in water. 4. Preparation of fire rafts in Lynhaven, &c., perhaps a hundred or more pages of these with drawings remain unfinished in the hands of the President or Secretary of the Navy. 5. Economy in the conveyance of troops, military stores, &c. 6. Barrack economy. 7. The organization, plan, and discipline designed for a corps of maritime Infantry, &c. 8. A design for ensuring more authentic maritime intelligence and for more effectually preventing illicit intercourse with the enemy. 9. Reprinting and multiplying scarce and valuable works of Military use. 10. Design for establishing Boards of works and public economy; besides my professional avocations as a civil engineer and the completing of my voluminous topographical engagements.

I shall endeavor to complete some of the surveys which a sudden rupture will put us most in need of till I hear further from your Excellency.

I am, &c.

EDMUND LUCAS TO THE GOVERNOR.

I have accepted the command of the fifteenth Brigade of militia, and am at a loss to know what ought to be the uniform of my staff. You will be so good as to write to me as soon as convenient what should be the uniform of each individual of them.

May 11,
Greenville

I am, &c.

REPORT OF HIS EXCELLENCY GOVERNOR BARBOUR TO THE COUNCIL OF STATE.

In pursuance of the wish of the Council of State, expressed in their advice of — ultimo (which entirely corresponded with my own), suggesting the propriety of my visiting in person particular portions of the Eastern Frontier of the State for the purpose of collecting such information as would aid the Executive in making arrangements for a co-operation with the General Government with a view to the defence and protection of the State against invasion, I left this place on the 21st of April, and pursued what is generally styled the riverside road. My ob-

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ject in doing so was that from its contiguity to the River it is presumable in the event of invasion that our Enemy would avail themselves of this road were they disposed to attempt a stroke at the Capital.

The most prominent places on this road are Tollman's Tavern, six miles from this place; Jackson Frazer's, eight miles; New Market, twelve miles; Cross Roads, 14 miles; Four mile creek, 17 miles; Turkey Island creek, about 19 miles; Shirley Hundred, twenty-two miles; Westover, twenty-nine miles.

The Country through which this road runs is intersected with numberless ravines, deep and difficult of passage, and commanded by elevated hills, presenting most excellent positions for military operations. The face of the Country, generally speaking, immediately contiguous to the road, is covered with forests in their original state, or such as have grown up since industry has declined and the country has been abandoned.

It follows that the approach of the Enemy could be only by the highway. The only points at which an invading enemy would probably debark on the north side of the river, are at the confluence of Four mile creek, Woodson's Ferry, Westover, or Sandy Point. At the former the Enemy lay during the Revolutionary war; from the landing runs a road intersecting the river side road at New Market, distant from this place to the river, three miles. This road continues to the stage road, distant eight miles, but so small as to be impracticable for the operations of an army, and along which it is next to impossible for them to proceed. Upon this view of the subject a concentration of our defensive means might take place without fear of being circumvented by the enemy.

At Woodson's Ferry, however, a road leads so as to intersect the main river side road at about two miles distant from the river, and continuing till it intersects the stage road, but lower down than the cross road above alluded to. This road is practicable from its appearance at the cross roads, and I believe is so to its junction with the Stage road; its character, however, I could not learn from any person whom I had an opportunity of seeing. I can not believe that an enemy will ascend as high as either of these points, and I was therefore less solicitous about possessing very particular information on the subject. The reason of the opinion here expressed is that the shallowness of the water prevents the approach of any but small vessels. The soundings of the river as collected from the most respectable sources accessible to me, will be detailed entire, so as to possess the council at a glance of the depth of water from Newport News (where the James River is lost in the roads,) to Harrison's bar, several miles below the point, a description of which I have attempted.

This objection will also apply to a debarkation at Westover in almost the same degree; in addition to which the progress of an invading

Enemy could be easily arrested by a position to be taken on Turkey Island Creek. A small force relying upon this creek as a protection to its right, and a lofty eminence for the left, would confine the Enemy to the road, which may be rendered inaccessible by temporary redoubts and abbatis, and as far as my very limited experience enables me to judge, would present a most desirable point. Westover is rendered remarkable from its being selected during the last war by the Renegade Arnold for the debarkation of his troops when upon his predatory expedition to the metropolis. Should a landing be effected at Sandy Point, which is about forty miles below this place, the Enemy would be constrained to take the river-side road in its approach to this place, and of consequence be subject to all the impediments as above detailed, or would be compelled to take a circuitous route to make their way to the Stage road through a country presenting nearly the same outlines of character as the one already described.

There is no manner of Marine defence on James River, unless it be fort Powhatan, formerly Hoods. This is literally nothing but a scarecrow. It had on the 22nd of April, when I visited it, 14 men and a Lieutenant, without a piece of ordnance, or any of the munitions of war. Its position is by land about 33 miles from this place, on the south side of James River, in the County of Prince George. The Fort stands on a bluff sixty feet high, covering $\frac{1}{2}$ an acre of land protecting a water Battery (large enough for 12 Guns) in the form of a crescent. The position, naturally, is extremely strong. There is a small creek or estuary above and below the fort, a deep ravine entirely surrounding the bluff, except a small tongue of land not above sixty or seventy yards in width; the summit of the hill may be in extent an acre and a half. Unfortunately, the fort covering only one-third of this, a large space is left upon which an enemy might obtain a lodgment and annoy the garrison. If it had been enlarged so as to embrace the whole summit, it would have given it an entire command of the passage of the ravine and have rendered it formidable. The River at this place is only 500 yards wide, and from a large swamp extending from the opposite shore and forming a considerable bar for some distance in the river, vessels are compelled to approach within a stone's throw of the fort and Battery, and in its approach would be exposed to their united fire, without the possibility of retaliation. The Crescent form of the Battery enables it to attack as the ship approaches, passes, and departs. One defect, however, exists in the arrangement of this fort, and, indeed, all which I have seen, viz., that their founders never seemed to have permitted themselves to believe that they were to be attacked by land, and hence no adequate means of defence have been adopted for the repulsion of such an attack.

After visiting the fort, I recrossed James River to Westover, and reached on the evening of the 22d the residence of Judge Tyler, distant

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from Westover 9 miles. From Judge Tyler's I proceeded on the morning of the 23d to Chickahominy, 13 miles. This river at this place may be from 4 to 800 yards in width, and shallow and unfit for purposes of navigation, and by consequence affording no communication to a hostile fleet. From thence to James Town, 16 miles. This place rendered illustrious in the annals of America as being the first spot inhabited by our ancestors in the new world, and long the Metropolis of Virginia, exhibits nothing of its former grandeur to satisfy the eye of the curious Traveller, except one or two private houses, its arsenal in a ruinous condition, the steeple of the church, and sepulchral monuments erected by a pious posterity to the memory of their worthy ancestors. I marked the traces (faint, indeed, and only discovered by being pointed out) of the first fort said to be erected by Capt. Smith.

The Island of James Town is situated directly on James River, some what upwards of sixty miles below this place, washed on the South by the River and surrounded by a small estuary of the River. It is three miles in length, containing about 2,000 Acres of land, and is separated from the mainland by a stream 200 yards wide in its narrowest part, and in low tide capable of being forded directly at its junction with the river. Tradition states that the Island was once a peninsula, and that by a small canal being cut for the passage of a Fisherman's canoe the town has extended this small beginning to the width above mentioned. This can readily be believed when it is further stated that the River has advanced upon the Island 100 yards. There was a small fort upon the Island during the revolutionary war, the traces of which are still visible. The channel of the river at this place is described to be so near the shore as to say 250 yards, that were a fort erected here it would be impossible for a vessel to escape its influence, altho' the river is from two to three miles in width, yet the navigation is impracticable except in the channel, in the proximity of which to the shore as above stated would give a fort established there an imposing attitude. Its insular situation would to some degree protect it from all attack by land. On the 24th I left James Town, and passing through Williamsburg reached York; I had the opportunity of viewing the ground which was so often travelled by the contending armies of the revolution.

Independent of the interest which this reflection produces, there is nothing to excite attention except indeed a camp long occupied by the Marquis LaFayette. This was at a mill about two miles below Williamsburg, and from its position must have been happily selected. Notwithstanding the smallness of his force, and his contiguity to York he kept the noble Earl in check, and it served as a rallying point to the American Army, which finally invested York.

The fortifications at this latter place have yielded in a great degree to the changing hand of time. There is still, however, enough left to di-

cover the principle fortifications erected by the British immediately around the Town. The outer works are scarcely visible. A redoubt immediately contiguous to the Secretary Nelson's house is quite apparent, and is in the angle of the Town parallel. York is situated upon an elevated bluff, and its inhabitants boast much of their harbor.

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This latter circumstance had much influence upon Cornwallis in selecting it as a port from which their projects of invasion were to be carried on. This scheme, however, depended entirely upon his master's retaining a superiority at sea, in which being disappointed by the arrival of the Comte De Grasse with his overwhelming squadron.

This position being no longer tenable, submitted to the combined forces and consummated the success of the Revolution. From this place I proceeded to Hampton, distant 24 miles. There is nothing interesting in a military point of view through this country, except that it is a narrow tongue of land varying in its width from 5 to 10 miles, produced by the rivers James, York, and the Bay. A superiority at sea would enable an invading enemy to run up either of the above Rivers, and throwing themselves in the rear of any force stationed upon any part of the Country from Will'msburg to Hampton, he enabled thereby to cut off their retreat. In a work, with the perusal of which I was favored by the politeness of the commandant at the port of Norfolk, entitled Carleton's campaigns, I observed that it was a favorite plan with Col. Tarleton to have thrown a force by the way of Queen's Creek into the rear of Fayette, and thereby to have captured him. The Good Genius of America prevented the effort, as the result of such a movement would have been most disastrous.

At Hampton I had an opportunity of reviewing a Rifle company and also some Artillerists. These companies are under the direction of Capt'n Pryor and several men worthy of the trust reposed in them, and from the state of the arms of which they have the management, deserve well of their Country. The Rifles were in excellent order, and shoot with great exactness, the men being from practice expert shots. The cannon was served with dexterity, and several experiments proved that the Captain was a skilful artillerist. Being solicited to furnish them with the munitions of war, I advised Col. Sharp to procure them 200 lbs. of powder, promising to send them cannon ball and some lead. The propriety of this step, it is believed, will be approved by the Council when it is recollected that Hampton lies contiguous to the roads, is a convenient place for furnishing the British Navy with supplies, and without such preparation would be exposed to every insult that a *pucaroon might think proper to offer.

From Hampton I passed to Norfolk, arriving there on the night of the

*This word should be "picaron," and is of Spanish origin, signifying a rogue.—Ed.

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25th. On the 26th I was visited by almost every person of character and particularly the military, all conditions being pleased with the attention shown them by the Executive. By request I reviewed the two volunteer companies with whose discipline and appearance I was highly gratified.

By request of the Com'r of port, on the next day I visited the Forts Nelson and Norfolk. Fort Nelson stands on a piece of land running into the harbour, and lies between the west and southern branch of Elizabeth River; is about $\frac{1}{2}$ a mile from Norfolk, which is situated on the southern bank of the southern branch. Fort Norfolk is on the same side with Norfolk and mile below it.

The state of the Forts was greatly beyond my expectation, and as a marine defence must be most respectable.

They are at this time under the command of Colonel Freeman, an old Revolutionary officer, who seems to have been very attentive to the duties of his station. I requested of him a return of the strength of his forces, copies of which will be presented to you for inspection. There are according to his statements about 200 regulars posted at the Forts. They have mounted sixty large pieces of Ordnance, 24s, 32s, and 50s, and supplied with the munitions of war and all the appendages necessary to the most effective service.

The platforms are in good order. The embrasures judiciously selected and kept open and prepared for actual hostilities. The fortification, a wall of Fort Nelson of the usual thickness and composed of earth and brick work; its form is an irregular Polygon, some of the angles of which enable the fort to play upon an approaching fleet, and some when it would be stationary for the purpose of attempting the bombardment of the lower end of Norfolk. Fort Norfolk differs but little from Fort Nelson, but could render no aid in the annoying of ships should they effect their passage by the Fort. The reverse defence of the Forts is subject to the same objection as that of Powhatan. They have neither platform, embrasure, or guns, and the glacis of the parapet is so managed as to afford but little aid to soldiers using small arms. They are without Bastions on the angle saillant or sally angle, and hence the reverse defence would be far from stout. Whilst upon this subject I will anticipate some little in point of time the result of my journey as it is connected particularly with this branch of the subject. Norfolk, it is known, lies upon the South of Elizabeth River nine miles from its confluence with the river. Near this is Craney Island which all accord in saying is the most eligible spot for a fort. This Island runs a considerable distance into the river; it then has a flat and gradually descending beach to the Channel where it is suddenly abrupt. The Fort could therefore with safety be erected two or three hundred yards in the rear upon a sure foundation received from the particular situation of the channel, would be within

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400 yards of the most distant part where it would be possible for a vessel of any burthen to navigate, and hence would be within point blank range of the guns of the Fort. It is attended with this auxilliary circumstance that from the circuitous course of the current, the ship would be obliged to approach the fort with its prow, and of consequence would be exposed to the fire of the fort without the possibility of retaliation except in the moment when it was passing. Commodore Decatur, who sounded the river in this place under the direction of the government, communicated to me the substance of the above statement, accompanied, I think, with a declaration that with one or two vessels (tho' I think he said his own), supported by a well ordered fort, he should be enabled to arrest a fleet of any size. A floating battery, it seems agreed on all hands, would contribute most essentially to the defence of Norfolk, and could be made with very small expense, and I therefore promised it if it met with your approbation.

Colo. Rob't Taylor, whose intelligence is respected wherever he is known, stated to me that he had a conversation some years past with Sir Thomas Hardy, who accompanied Parker and Nelson in their attack upon Copenhagen, in which he spoke lightly of the Forts, but stated that floating batteries would be a most effectual defence, and went on to state that in the affair of Copenhagen that species of defence was resorted to with great success. On the 28th, I had an interview with all the militia officers in and about Norfolk, for the purpose of collecting all the information in their possession which might in any degree subserve the object of my visit. The general impression seemed to be that they had nothing to fear by an attack from the shipping, but that their great danger arose from the facility of landing troops and taking Norfolk in reverse. Of this opinion was Colo. Taylor, who seemed to think that unless a respectable force was permanently stationed in Norfolk, that 500 men would be able to land at Lambert's point about 4 miles below the town, and by a rapid movement sack the town.

They associate with an invasion a probable insurrection of their slaves, who take a deep interest in a rupture between England and this Country. Colo. Taylor stated an important fact upon this subject. During the Douglass war, when an invasion was anticipated, Sir Thomas Hardy received a communication from the slaves that they were ready to unite with the British so soon as they hoisted their war flag, and Sir T. H. had the frankness to show the Colo. a letter he had written his master, disclosing that fact. Sir T. spoke of such a combination with horror and indignation.

From the opinion thus expressed by Colo. Taylor, I was induced to explore the country about Norfolk as far as six miles. It appeared to me that from the peculiar character of the country, that a thousand, or 1,500 men, would be able to protect Norfolk from a much superior force.

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There are Creeks making out from the river, both above and below Norfolk, which, from the small elevation of the whole of that country above the level of the Sea form considerable estuaries, the heads of which approximate each other so closely that the land lying between might by redoubts and abbatis thrown up on the spur of the occasion, be defended by a small force, and different stands of this kind might be effected so as to have at least three successive points of defence, but I think with Colo. Taylor, that least 1,000 men should be stationed in Norfolk in the event of actual hostilities, so as to unite with the citizens of Norfolk in their defence. It seems to be believed that a debarkation of troops could be effected only at the pleasure house, The Quarantine House, or at Lambert's Point Landing. At either of the former places would produce a circuit, and of course a march favorable to the defence of Norfolk. Lambert's Point, about four miles below Norfolk, is the spot where it is believed a debarkation, if attempted at all, will be effected. But should that be the case, the defence of the place, as stated above, is very practicable unless the force were great indeed with which it was assailed.

In this interview with the officers, I regretted to hear great complaints concerning their guns, and declarations that their men were without confidence in them.

Digressing from that subject for a moment, I will state that on the 30th of April, by request I visited the Dismal Swamp Canal and witnessed the consummation of 20 years' labor in the completion of that extensive and public spirited undertaking, and in company with the President, Directors, and a host of the respectable citizens of Norfolk, we witnessed the Junction of the waters of the Sound and of the Chesapeake, and passed from the one to the other in a boat containing 10,000 shingles, amidst the shouts and applauses of the spectators.

On the first of May I reviewed the Regiment of the Borough of Norfolk, and a Battalion of the County which mustered in Portsmouth. With the Norfolk Regiment I was extremely well pleased. It is under the direction of Officers who have strong claims to the gratitude of their country, amongst whom I wish particularly to mention Colo. Sharp and Major Morris; the urbanity of whose manners is surpassed by nothing except by their military ardor and their devotion to the honor and welfare of their country.

From the universality of complaint concerning the unfitness of the arms, and from the vast importance of having the Militia well armed in Norfolk and its vicinity, I not only had a review of parade but one also of inspection, and examined the arms with as much attention as my time would permit. The general external appearance was well enough; indeed the men seemed to have taken great pains in cleaning and preserving them. But it was said, and I discovered but too many examples

of the kind, that there were flaws apparent upon a close inspection indicative of brittle and unmalleable iron. The locks are in many cases out of order. These defects in the arms of our own factory and not in the French arms which are as universally approved of, as the others are condemned. It is desirable that the superintendent of the armory should be instructed to change the cock, which in comparrison with the French model is greatly inferior. Seeing the existing defects, and believing that a confidence on the part of the men in their arms was indispensable to success, I directed Major Morris to put them to proof, and with an intelligent artificer to examine the locks, and with this further instruction that those which were not radically worthless, he might employ some mechanic in the place to repair. Those which were so, he might return to this place with a view to procure such as the exigency of the times require shall be in the hands of the Citizens whose situation is an exposed one.

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The Battalion in Portsmouth seemed to have done its duty in their attention to their guns, but the same objections are made to their condition as in Norfolk, and the same distinction taken between those made in our own manufactory and the French arms, but as no official report of the condition was made, and no person known to me whose skill and integrity were such as to Justify my appointing them to prove the guns, I preferred waiting till such return was made, which I requested Colo. Manneon to have done immediately. The Council having advised that 500 lbs. of powder should be procured by Col. Sharp, and that lead also might be procured by him, at his request I agreed that he might have the cartridges made in Norfolk.

The public dinner on the first, and what occurred thereat, are of public Notoriety, and need no comment. I can only add that the enthusiasm displayed by all is beyond praise.

In the meeting of officers it was unanimously advised that Telegraphic communications should be established, to commence at Cape Henry and continue to Norfolk.

After being detained a day by rain, on the 3rd of May, being Sunday, I embarked on board the United States Revenue Cutter (Capt. Ham), for which I was indebted to Colo. Larkin Smith, the collector at Norfolk (whose unremitted civilities and Friendship have laid me under perpetual obligations), and in company with several Gentlemen and some Ladies sailed through the roads, the bay, and passing the Capes into the Ocean. I was enabled by this course to discover the most elevated and best adapted sites for the Telegraph towers. The result of my own observations, and in these I had the sanction of Colo. Sharp and others, was that Cape Henry would be of consequence the first point, and the Light House would answer the purpose of a Telegraph Tower. From thence to Crump hills, 9 miles; from thence to Willoughby's point, 7

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miles; from thence to Old Point Comfort Light House, 7 miles; from thence to Craney Island, 6 miles; and from thence to Norfolk, 5 miles. Four Towers only would be necessary, the price of which Commodore Decatur stated would be trifling to complete the plan contemplated. Nothing is more simple than the modern art of Telegraphic communication by balls or flags in the day and by false fires in the night, and the communication of intelligence is rapid as sound or vision.

I was furnished by the Commodore with a view of the plan at this time in use by the Navy of the U. S., a transcript of which will be furnished at any time by him if it should be necessary. I returned to Norfolk on Monday, the 4th of May, where I received a letter from the Secretary of War responsive to two written by myself to him shortly before I left this place, which fell far short of what I had expected. My letters are of record; the one from the Secretary is present for the perusal of the Council of State. I had requested to be advised of the proportion of National defence which will be extended to this State, and whether we should be indemnified for any advances of the munitions of war which we had and were still making. His reply is that orders have been given for a supply of ammunition, and further suggests the necessity of selecting two or three Artillery Companies in the vicinity of Norfolk to co-operate with the Commandant of the port in the event of necessity. In consequence thereof, I addressed letters to Capt. Ott and Capt. Emmer-son, commanding two Companies of Artillery—the one in Norfolk, the other in Portsmouth, of which letters I present copies to the Council, as also the copy of a letter to Col. Freeman, with his reply.

Whilst in Norfolk I suggested to several Gentlemen there the necessity, which I had previously presented to the Council, of a military chart of the Eastern Frontier of this State, and it has been to me a subject of surprize that the Federal Government had omitted so important an ingredient in the means of defence, not only in relation to Virginia alone, but to the widely extended coasts of the United States. In consequence of this communication, Col. William Tatham, an old revolutionary soldier, was introduced to me under flattering recommendations. With him I had frequent interviews, in which I discovered that he had devoted much time to the acquisition of knowledge of the Topography, Hydrography, and the Technography of the Country about Norfolk, and he presented me with various specimens of his dexterity in all these different branches.

His very extensive knowledge upon these subjects is mingled with an enthusiasm that gives a most romantic appearance to some of his projects, but which I do not chose harshly to condemn, because they seem to me to lie beyond the sphere of my comprehension. I requested him to embody his ideas upon these subjects for the purpose of being presented to you for your information, and finally your advice. These have been rec'd since my arrival here, and are now presented to the Council.

On Friday, the 5th, I left Norfolk and travelled the road on the South side of the River through a country for miles that presented nothing upon which the eye could for a moment regale itself. It seems to have been laid by the Creator under an awful interdict, and to a sterility by nature which no art or industry can compensate is superadded a redundancy of water, which, from the relative height of the Country with the ocean, it seems impossible to drain. Whether it is doomed forever, with a very few exceptions, to be a jungle for wild beasts or to yield to the enterprising and adventurous spirit of industry, time alone will decide. It is far beyond the reach of the present race, with whom, were I to judge from appearances, industry and exertion are paralyzed, and who, shrinking from an undertaking so arduous as the reclamation of this country, resort to the waters as an element more propitious for the supplies of life.

1812.
May 12,
Richmond

Among the lower classes, who live almost upon the water, you see a wretched and squalid cadaverous race that seem to be but the moving spectres of departed men. Among the higher orders, or better livers, with small shades of difference, indeed, you find a character common to Virginians. I discover nothing of import in the country through which I have travelled till my arrival in Petersburg. The military ardor which I had discovered in other parts of the lower Country seemed not to have moved upon the face of this. But I saw no public collections, which may, perhaps, account for the difference. tho' on all occasions I made it my business to enquire. In Petersburg the Battalion paraded on the 9th of May. I reviewed it. The volunteer Companies met my approbation. The whole seemed to have caught the holy fire, the diffusion of which is so interesting with us. I by request partook of a dinner given by the military, where, as in Norfolk, I indulged in an expression of my feelings and in an effort to rouse their pride, their patriotism and courage. They were good enough to approve of my sentiments by long, reiterated applause. I hale it as a favorable presage, and augur well of their conduct in the event of an appeal to arms.

On Sunday, the 10th, I returned to this place.

Soundings of James River.

Newport news we have a depth of water of 7 fathoms and a channel 1 mile wide, thence to Day's point 15 miles above the water shoals to $3\frac{1}{2}$ fathoms, thence deepens until you reach the Rock Landing, a distance of 2 miles, after which you again have on 3 and $3\frac{1}{2}$ fathoms until you arrive at the Point of Shoals, 10 miles above Day's Point; the depth here 7 fathoms and a channel not more than $\frac{1}{3}$ of a mile wide, every vessel drawing 15 feet water being compelled to pass within musket shot of the shore. The Channel now varies from 5 to 8 fathoms until you arrive at Goose Hill Flatts 6 miles below James Town; here at high

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Richmond

tide there is a depth of only 16 feet, but in consequence of a soft bottom a vessel drawing 17 may pass with a favorable wind; thence to James Town from 4 to ten fathoms, here the channel narrows to 250 yards, on side of which touches the shore to the North; thence to John H Cocke's Estate channel varies from 3 to 6 fathoms; thence to Dancing Point 11 miles above James Town, water 4 and 5 fathoms, but here falls off to 3 and 3½; thence until you arrive at Harrison's Bar varies from 4 to 6 fathoms, where it barely measures 16 feet at high water, but a soft bottom enables a vessel drawing 17 to pass.

WILLIAM TATHAM TO THE GOVERNOR.

May 14,
Lynhaven
Bay

I came down here last night with a view to examine (still more minutely than formerly) the interesting tellographic port of "Crump's Hill," on Lynhaven Bay; the changes it may have undergone since my survey of it in 1807, and how or where its environs may offer the best means of securing it against the shot or annoyance of an Enemy, a circumstance which seems to demand no small degree of consideration at Cape Henry, Old Point Comfort, and other exposed situations, for it may be expected that an enemy will endeavour to break up so essential a chain of intelligence, for which reason it will be necessary to make very minute surveys and charts of such ports.

This is the fourth day running that we have had disagreeable rainy weather, and the Bay and shores are now so thick and hazy with mist and rain that I cannot proceed in exploring this station till it clears up, after which your Excellency shall hear from me again. In the meantime certain ideas occur to me (through the medium of this interruption) which I will endeavor to convert to advantage: A fleet might approach so near the shore at this moment that it would not be possible for anything to discover them save our guard boats, or such a corps of maritime infantry as I contemplate in *improved* boats, on the principle of mine, which are sea-worthy in all weather, and when discovered tellographic communication is cut off save by firing of *Signal Guns*. A speedy attention should be immediately put in practice in this particular.

Now Your Excellency will perceive that this part of the system for promoting rapid intelligence cannot be carried to any great extent of verbal, literal or numerical expression, without vast expense in the consumption of Gunpowder; even then the most which can be attained will be a few common place questions and answers reduced to confidential documents in cypher beforehand, and placed only in the breast of controuling officers.

I have at this instant before me a manuscript chart from the Cape (including) up to Williamsburg and York, which seems to have been

left in this part of the Country by some British officer during the revolution; it has the appearance of improvement on a tollerable scale, and I had hopes that from Lord Howe's manuscripts and other charts also in my possession, I should have been in a condition to form a tollerable telegraphic chart from the capes to Richmond and Washington. On comparing lines of actual vision with lines on the charts, I find that the whole are compilations bottomed on the old primitive basis, and do not correspond with nature. They are liable to the same objections which occurred to the observation of both General Washington and myself, the last time I had the honor of his conversation on this topic in the case of the rivers Potomac and Rappahannock; we had both noticed the same changes through the operations of time, the clearing off the woods, the sillage of the plough, &c., to-wit, that where a point existed above the mouth of a creek (for example) in former times, there was now a bar and shoal below; that deep navigations were converted into shallows and interruptions that the lines of vision at this day were much extended beyond many points which formerly intercepted them with high banks and thick woods. Thus it is that for the ends of vision or navigation new and complete surveys of our Tide waters should be made, but by navigating these several waters in my boat, surveying these lines and trigonometrical angles of the shores, I think I can do much primary work at little expense, furnishing a corrected plan competent to illustrate the practical communications by sound if not correctly by vision. In the meantime a single example may show what an enormous consumption of Gunpowder would probably result if a communication by firing (only) was adopted. Take for example ten numbers, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, as the basis for numerical communication, and the extent and variation of these numbers must form the *Key* of the intelligence conveyed. Now if ten questions and ten answers were set (common place wise) to this Gamut, I apprehend the arithmetical progression of such notes would have a very unmusical sound in the ears of legislative propriety. I leave the calculation to the experience of the navy.

1812.
May 14,
Lynhaven
Bay

I am, &c.

WILLIAM CHAMBERLAYNE TO THE GOVERNOR.

By the law of Congress, passed the 10th ult., the President of the United States is to apportion the General Officers among the respective States and Territories as he may deem proper, but leaves the detailing of the particular officers with the constitutional authority in the respective States and Territories.

May 17,
New Kent

I have thought proper to express to you and the honorable body associated with you, that I am ready and willing to render any and every

1812.
May 17,
New Kent

service in my power. I have heretofore expressed my opinion, and what I believed to be the opinion of those I represented, that the course adopted and pursued by our Government was proper, and that we would support them in any measures they might judge expedient, and to which we pledged our lives, fortunes, and sacred honour. I am now prepared to evince the sincerity of my declaration.

I am aware that there are several officers of my grade older than myself and probably more experienced, but in zeal for the service of my Country I yield to no one. My object is the good of my country. If that would be more promoted by the appointment of another than by myself, I wish that other appointment, but if equal by me I shall be pleased to receive it. Whatever may be the decision of your honorable body I shall cheerfully acquiesce.

I am, &c.

WILLIAM TATHAM TO THE GOVERNOR.

May 17,
Lynhaven
Bay

The weather clearing yesterday, I went over to Crump's Hill and found the Inlet, which formerly washed the foot of it, shifted about sixty or seventy yards eastwardly rather for the better. The Hill is something injured by the winds, but may be secured on the side next the Bay with a little labour.

It still continues to be supported by a growth of pine trees, and is matted with a kind of long-rooted grass, so that a superstratum of Loam and sodding on the surface might render it permanent.

It is well situated for an open communication with both Lighthouses, with Willoughby's point (up to the hills next the main land), and with Back river point up the Chesapeake. This last circumstance, as well as its view to seaward (in case of accident at the Cape), renders it a double station, and one of consequence and confidence. It is only at high water that an enemy's boats could come in at the inlet, and then greatly exposed to a battery, and after such an attempt a haven with four creeks gives a full opportunity to carry off the books, glasses, &c., leaving the enemy on a sandy desert beach.

I particularize this circumstance because I am aware that your Excellency's eye has been fixed on this pleasure house, a place which has not one requisite of a military station for troops on this bay, or one point of military security in itself beyond a chance to run away. It is a suitable lounge for Gamblers, tipplers, and those gentry of pleasure who love idleness, lack of discipline, and temporary convenience in preference to their Country's Safety; but in time of war if it serves as a refreshing place for our horse patroll and the grand rounds, it will be the best aid we can derive from a place which can only receive its military or its tel

graphic importance from lukewarmness or an ignorance of the surrounding neighborhood.

If ever we have courage, aided by liberality of expenditure, equal to what I am more and more persuaded is in our power) *make Lynhaven* *too hot to hold a maritime enemy* the chief theatre of our wars and the Toulon of America in regard to the Port in its rear. Crump's Hill well situated, and naturally formed for a Sexagon fortification.

I hope shortly to demonstrate that this is not an expensive undertaking, and that to take the Bull by the horns and fight an enemy at his starting point is our true economy.

These things, however, are for the consideration of the Administration. It is with them to say how far it is proper to enable me, or any other man, to demonstrate the advantages of strengthening the positions of Cape Henry, of Lynhaven Inlet, of Crump's Hill, of Willoughby's bay, of Tanner's Creek, of Crany Island, and the environs of Norfolk; or to show the interior posts, Piquet guards, and patrols which cover such with their relative attentions and means from Cape Henry to South Carolina and from Cape Charles to Connecticut.

I am, &c.

P. S. As it is not presumed at present that the Enemy are to be compelled to *besiege works of magnitude*, I wish to be understood that (for example, at Crump's Hill,) a facine battery can be constructed with materials on the spot, and a boat of suitable construction to convey field-pieces being at a wharf in the Creek in the rear of the telegraphic station. The field-pieces are as easily removed and covered in case of necessary retreat as the Telescopes. Such species of fortification merits consideration for occasional or subordinate defence at many strong passes, such as the landings and roads of this country are replete with in every direction.

W. T.

Enclosed in the above letter is a sketch of a Telegraph consisting of pieces painted with various colours worked by levers too complicated to be copied, invented by W. Tatham.—ED.

JAMES MCFARLANE (LT.—COL. 72ND REGIMENT) TO THE GOVERNOR.

Informing him of his success in raising, by volunteers from the Regiment commanded by him, the quota required by the Brigadier-General of the 17th Brigade, also of his inspection of a troop of cavalry with their arms, &c., and of the arms of his Regiment.

1812.
May 17,
Lynhaven
Bay

May 19,
Russell Co.

WM. TATHAM TO THE GOVERNOR.

1812.
May 20,
Norfolk

I do myself the honor to enclose to your Excellency the survey to the report of the Military canal from Lynhaven to the Eastern branch of the Elizabeth river refers, which was transmitted to you a few days ago. My mind has been greatly impressed since I last wrote from Lynhaven with observations on some particulars which strike me to be of the importance, as precautions against the evils of insurrection. On my return in town I find reports which mortify me exceedingly; it is a fact that an Engineer has determined on certain matters on two day's information, view, which I have found seven years investigation insufficient to justify so hastily!

I make great allowance for popular impression on facts of a confidential nature, especially when accompanied by such glaring absurdities which destroy the idea of those superior qualifications which must have influenced the Federal Administration. I doubt the authenticity of the public fame, but if she lieth not, Virginia must take care of her reputation.

I shall stop where I am till I hear from your Excellency.

I am, &c.

CARVER WILLIS TO THE GOVERNOR.

May 21,
Jefferson Co.

At this important crisis of our National affairs as it respects our Foreign Relations. I shall not attempt an apology for the trouble I am to give you, but proceed immediately to the purport of my letter. On the day the 17th Inst., was the day appointed for the 55th Reg't to march and furnish its quota of men. It is with pain and regret I inform you that a draft was resorted to; a company of light Infantry of 50 men came from this Regiment will be furnished under the command of Capt. Kenney instead of Capt. Kenney, as mentioned in your orders; that a detachment of 116 men, to their eternal shame and disgrace, were drafted from your general orders that there is not any cavalry ordered to that Brigade. Having the command of a Company of 60 men I am very desirous of tendering our services if they could be accepted to serve in the first tour; with this view I proposed to the Commanding Officer to volunteer, but to my surprise only 33 would join me in the tender. The first Lieu't was at the time very ill (his intentions I have not yet learned) the second Lieu't positively refused. My principle object in writing to make the inquiry of you whether if I can fill up the Company to the number of 45 or 50 men if our services can be accepted in the first tour and whether commissions can issue to supply the places of those who refuse to join. To you, Sir, whose patriotic address shows

what ardour your bosom beats in your Country's cause, the contents of this letter must be truly painful—indeed every friend to his Country must feel alarmed for her safety, when he reflects that at the first preparation to meet a detested and implacable enemy who have trampled on every right held dear by freemen, the militia, the great bulwark of a republic, should be thus backward in stepping forward to defend her rights, revenge her wrongs, or perish in the contest; but for the honor of my state I flatter myself this degradation has not pervaded other parts, and that it has been confined to the nest of federalists (I will not say Tories) inhabiting this and a few adjoining counties.

1812.
May 21,
Jefferson Co.

I must add that if the object of my letter is attainable, that the company are destitute of arms, nor will it be possible for them to arm themselves, for those suitable to the service are not to be had here.

I am, &c.

NIMROD SAUNDERS (CAPT. CAVALRY) AND JAS. LAIDLEY (CAPT. RIFLE Co.) TO THE GOVERNOR.

We are requested to communicate to you by Thirty-six of the Cavalry, including Lieutenants and Cornet; by forty-six of the Rifle Company, including Lieutenant—the former armed with swords and one pistol each; the latter with Rifles all in good order and attached to the 113th Regiment—that they, with us, are prepared to march at a moment's warning whenever called by the constituted authorities of our Country.

May 23,
Parkersburg

In making this tender, Sir, we are proud to say that the men under our separate commands are not common militia who have not had the advantage of the use of public arms. We feel, Sir, that the State has done much for us—forty swords and an equal number of pistols, and fifty Rifles have been presented to us. We wish to use them in defence of the violated rights of our beloved country. Though we might feel safe from British outrages—though we may not fear the depredations of the savages—from our peculiar local situation, yet we are members of the great Union, and our lives shall be devoted to the security of the whole. In addressing you, Sir, on this subject, we cannot pass over your circular letter to the Colonels of the Regiments. We discover patriotism, energy, and zeal for the rights of an injured, abused country. Accept, Sir, of our wishes for a continuance in an office that will be productive of much good to our State, an honor to yourself, and accept of our wishes for your individual prosperity and happiness.

We are, &c.

W. EUSTIS (SEC'Y) TO THE GOVERNOR.

1812.
May 27,
War Depart-
ment

I have the honor to acknowledge the receipt of your Excellency's letter of the 19th instant, and to inform you that in the arrangement of the defence of our extensive maritime frontier, the harbour of Norfolk will continue to receive from the President that attention which its importance demands. A full company of regular troops will, in the course of a few days, supply the place of the rifle Company lately ordered to the Northward. The troops raised in the Southern parts of the State of Virginia will be directed to the works in Norfolk. Should this require to be augmented, a requisition for a detachment of militia become necessary.

The militia detached conformably to the act of April 10th, will continue subject to the laws of the State until called into actual service.

I am, &c.

Henrico County, to-wit:

This day Robert Quarles, Esquire, came before me, William Price, a Justice of the peace for the aforesaid County, and took the different oaths prescribed by Law to be taken by a Councilor of State. Given under my hand this 28th day of May, 1812.

WILLIAM PRICE

ROB'T B. TAYLOR TO THE GOVERNOR.

May,
Norfolk

When I had the honor to confer with you on the state of the cavalry under my command, I took the liberty of suggesting some defects in our present system, and your Excellency was pleased to desire that I would make my remarks the subject of a written communication. In obedience to that request, I now take the liberty of submitting observations which I dare not flatter myself are worthy of Executive adoption, but which as hints to be improved and matured, may not perhaps be entirely useless. It is in that character only I venture to present them before you.

However various have been the modes of discipline adopted by different nations and at different times, in one circumstance they all concurred. They have all aimed at the attainment of the greatest degree of effect or military momentum with the smallest degree of physical force.

The relative value of each system depends on the degree in which that effect is produced. The most natural and obvious mode of at

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Norfolk

ing this object, is by the introduction of discipline that is order and regularity into the parts and concert and system into the movements of the whole. It is from this cause alone, and not from superiority of colour, that the force of trained soldiers, moved by the same impulse and directed to the same point, is always greater than an equal proportion of physical force acting without concert and without order. The manner of discipline must of necessity vary according to the species of the force employed, the nature of the Country in which it acts, and above all, by the arms used. From the latter cause alone the use of gun powder has introduced almost an entire revolution in military Tactics; still, however, the end must be kept in view, and the means tho' varied by those and other circumstances, still aim at its attainment.

It is apparent then that the system, whatever it may be, should have for its object—

- 1st. The attainment of order and regularity in its subordinate parts.
- 2nd. Concert and uniformity in compound operations.

The first of these objects is wholly unattainable without the introduction of a settled mode of instruction with the private, there is much, perhaps more to be attributed to habit than to Judgment in the execution of his personal duty. It rarely happens that the object and end of each movement is either seen or appreciated in the ranks, and it is by no means necessary that it should be. It is enough that the soldier understands the movement designated by his orders, and the correct mode of executing it. But to attain those points it is essential that the object be always designated by the *same* order, and that the mode of executing it be settled and unalterable.

When this is the case the soldiers from mere habit and practice execute with arder and with ease the intended operation.

Our present organization is in this particular most wretchedly defective. No fixed plan of training is established, or if established is not attended to; but each officer has adopted that mode of command and execution which his own judgment has suggested. The result is that in the same Troop as it chanches to be commanded by one or other of its officers, the same movements are sometimes designated by different words of command; sometimes the same word of command designates different movements, and not unfrequently a common result is produced by a different course of evolution. The soldier distracted and confounded by this diversity of command and of execution necessary — the error of too much preceptancy or too much tardiness.

But the evil is most dangerously aggravated, when different troops are brought to act in concert. Their commanders accustomed to different courses of command and execution, either do not understand the orders given or execute them in different modes. I had occasion to see this most lamentably exemplified when several troops were here united in

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Norfolk

1807. The great value of Cavalry depends upon the celerity of its movements and evolutions, but you will perceive, Sir, how unattainable that celerity would be under such circumstances, and how easily the best conceived operation attempted in the face of an enemy might not only be defeated, but turned against an officer from a tardy or erroneous mode of execution.

The remedy is a simple one. The system of training should be fixed. Nothing should be left to the discretion of the officers. The "words of command" to be given by him should be as immutable as the mode of executing them. The private soldier would from mere habit soon learn his duty, and combined troops would at the moment of their junction be enabled to co-operate with entire harmony and concert.

No Cavalry system has yet been established in this State, or if established has been promulgated, and till this is done the evil is inevitable. The discipline now used has, as I understand, for its model that which was used in the American war. It would be presumptuous in me to — you a system which has contributed so much to the glory of the American arms, and which is now seen only in its imperfect copies. But the military art has undergone great changes, and has been much improved since that time.

Our Cavalry discipline is radically different from that now practiced in the British army and by the great proficient in the military art, the French. These two latter agree, except in a few and unimportant points. They both differ from ours in essentials. The chief difference is that by the European system—a greater degree of force is concentrated without materially diminishing the rapidity of evolution. The momentum in a charge is consequently increased as in the advance; the celerity may be the same, either in our system or theirs.

I understood from Governor Cabell that it was in contemplation to adopt a system. In doing so we ought to profit by the institutions of other nations, who to the highest — have added the most constant experience. It ought at the same time not to be overlooked, that the State Troops must frequently act in Union with the Federal Troops and those of other States called out by them. To secure their harmony of movement, the system adopted by the General Government should be constantly kept in view. We might otherwise lose as much in the effect of concert as we might gain on the European systems. I am uninformed what system of Cavalry exercise has been adopted by the U. S. Troops.

It is of the utmost importance to the character and efficiency of the State cavalry that the system adopted, whatever it may be, should be acted on, on the first occasion of their being convened, and perhaps no occasion is likely to afford a better opportunity of diffusing the system than the present moment, when the attention of the officer will be seconded by the zeal of the soldier.

1812.
May,
Norfolk

Independently of the evils resulting from want of uniformity in training, other defects in the present system contributes materially to the injury of our Cavalry. At present a field officer has no opportunity even of keeping alive the knowledge he had acquired in the command of a Company, much less of practicing himself in the evolutions of large bodies. When called into service he must of necessity therefore be less qualified to command than the Captains under him. The latter are at least perfected by constant practice in the company movements. The former totally unpracticed in the evolutions of the squadron or Regiment, has to revive his faded knowledge of the discipline of the troop. This evil can be obviated only by requiring the troop to be exercised by the field officers. The sparse situation of the troops, and the expense of time and money to the individuals, would seem to be formidable objections to the adoption of the corrective. By a trifling aid of the Legislature that objection would however be surmounted. The Cavalry division might be laid off into districts of convenient extent, so as to include two or more Squadrons. All the troops of Cavalry within each district should be required to muster once or twice a year at some central place. The majors should be compelled to attend the muster within their respective Battalions, and the Colonel and adjutant those of the Battalion in which they reside. The muster should continue not less than ten days.

To compensate the loss of time the troops should be exempt from the monthly musters now enjoined *by law*. Their own private regulations would supply, by voluntary musters, the want of practice thereby produced.

The State should supply wagons and camp equipage and rations, or some equivalent during the period employed. The cost in money to the State would be inconsiderable, and I should believe would be well bestowed. Among the troops would soon be inspired such a zeal and emulation as might be expected to produce a most beneficial effect on the character of the Corps. The equipment of the troops deserves some consideration, more especially in the desultory kind of warfare in which they may be expected to be employed on our Coast. For, independently of the order and regularity of movement, the superiority of troops will materially depend on the selection of proper arms, and on the skill with which they are used. There has hitherto been no diversity in the equipment of our Cavalry, though a consideration of the various objects to which that description of force may be applied, would seem at once to suggest the propriety of discrimination. The duties to be performed by parties sent out to forage, to surprize a fort or skirmish on the enemy's line, are very different from those required in general action, in the deliberate attack of Infantry drawn up and prepared to receive them. Activity and adroitness are the chief qualifications of the former. Com-

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Norfolk

pactness, vigour, momentum, are essential to the success of the latter. Hence, in all European armies, the general term Cavalry comprehends a diversity of force almost as great as is found in the foot service. The Hussars are to the Dragoons what Light Infantry and Riflemen are to the Grenadiers and Infantry of the line. The size of both men and horses, their equipment and their arms are varied according to their objects. The Dragoons, both as to man and horse, should be large and strong, and their arms proportionately heavy. The Hussars are most useful when both man and horse are distinguished by lightness, activity, and muscle. With Volunteer Cavalry it may be difficult to introduce that distribution which selection of men and horses allow in regular service. Something may, however, be done towards the attainment of that object, and we ought not to reject the advantage within our reach because others are unattainable. One pistol has already been with propriety discarded, either from views of economy, or more probably from the consideration that the Sword is the weapon on which the Cavalry should chiefly rely. But the Carbine, which is an European essential part of the equipment of some descriptions of Cavalry, will more particularly be needful in the contemplated service, our only enemy will be Infantry. To charge them effectually with the sword, it will sometimes be needful to shake their ranks by a previous attack with fire-arms, and a portion at least of each Troop should be furnished with them. One-quarter rank of each troop would perhaps be sufficient. By uniting those of two or three squadrons, a sufficient force might be formed to confuse the Enemy where an attack is needful. I have prepared, as you requested, a model of the Carbine, which will be sent if desired.

Some effort should also be made to introduce a knowledge of the sword exercise among the Cavalry. To procure regular masters of the art of offence and defence would perhaps be difficult, nor is it needful. The Broad Sword exercise is in its principles and its acquirement as far as is needful for the Cavalry, depends rather on habit and the suppleness of the agent than on extraordinary talents. A system adequate to the object might be compiled and published at a trifling expense, and by the aid of plates might be so well understood as to be easily acquired. The expence (exclusive of the plates) would not, I imagine be two hundred dollars.

For the trouble I have given you in this long and perhaps unimportant communication, I beg you to find my apology in the motives which have produced it.

I am, &c.

P. S.—If the returns in the adjutant's office enable him to furnish a compendious statement of the different troops within my division, with the state of their force and a list of the officers and their dates of commission, I should be glad to receive them—at present I am totally without information on these subjects, and I know no other means of obtaining it but through the Executive.

CITY OF RICHMOND, *June 1st, 1812.*

1812.
May,
Norfolk

This day John Campbell, Esq'r, appeared before me, the undersigned Recorder of this City, and took on the Holy Evangelists of Almighty God the several oaths prescribed by Law to be taken by a member of the Privy Council or Council of State.

Given under my hand this Day and year above stated.

Ro. GREENHOW, Recorder.

LITTLETON LANIER TO THE GOVERNOR.

The Light Infantry Company under my command having volunteered their services to supply the quota of men required from the 15th Regiment, a considerable diversity of opinion prevails whether they will not be subject to be called on again when the time arrives for the division in which the company stands drafted may be called into service, and a number of the Company are seriously impressed with a belief that this will be the case.

June 4,
Sussex

Altho' I feel great pride in declaring as my belief that a number of the Company would most cheerfully perform another tour of duty whenever called on if their country required their services, yet I know that there are some of the Company who could not do so in any short time without serious inconvenience and perhaps ruin to their families.

Under these circumstances, I have thought it advisable to apply directly to your Excellency for information on the subject.

I am, &c.

Circular.

DEPAR'T OF STATE, *June 19th, 1812.*

Sir,—I have the honor to enclose for your earliest information a copy of an act of Congress, passed yesterday, declaring war against Great Britain and Ireland and the dependencies thereof, together with copies of the President's message of the 1st Inst., to both Houses, and the report of the Committee of foreign relations of the House of Representatives thereupon.

The constituted authorities of the Nation having determined upon an appeal to arms to maintain its violated rights, the President calculates with the fullest confidence on every aid from the State Government which it is in their power to give as well to mitigate the evils of War to our own citizens as to make it effectual against the Enemy.

I have the honor to be, with very great consideration,

Sir, your obed't servant,

JAS. MONROE.

His Exc'y The Governor of Virginia.

DAVID I. LEWIS TO THE GOVERNOR.

1812.
June 26,
Charlottes-
ville

I received your favor of the 1st Inst., stating the grounds of the preference given to Col. William Campbell as Keeper of the Penitentiary, which are entirely satisfactory. The particular friendship manifested toward me by the council and your Excellency in giving me the appointment of Waggon Master General is highly gratifying. I have, however, been unable to learn the duties of that office, and must request the favor of you to make them known to me together with the pay, Rations and uniform (if any), and whether the appointment will continue during good behaviour or not, or whether it will expire at the end of six months' service. The reason why I wish you to be thus explicit, is that I hold a Lieutenant's commission in the Militia and am the Adjutant of the 88th Regiment, and wish to guard against being put into the ranks at a future day.

I am, &c.

WM. DICKENSON TO THE GOVERNOR.

June 28,
Bedford

Inclosed is a list of Capt. Anthony's Company of Artillery who have volunteered their services. I am requested to state to you that the cannon carriages for Capt. Anthony's Company, on which subject I wrote to you the 15th of May last, have been since forwarded to Lynchburg.

I am, &c.

At a Meeting of the Inhabitants of the Town of York, held on Monday, the 29th day of June, 1812, for the purpose of adopting certain resolutions calculated to show to the General and State Governments the exposed and defenceless situation of the Town and the impracticability of defending itself under existing circumstances, and for the further purpose of soliciting such aid as they may deem proper and adequate to the defence and protection of the Town and its vicinity against foreign invasion or incursion—

On motion, Resolved that Robert Nelson be called to the chair, and

On motion, Resolved that Peyton Southall be appointed secretary of the meeting.

The following preamble and resolution being submitted (after full discussion), were unanimously adopted:

Whereas the Government of the United States of America have, after mature deliberation, declared that war is the only redress left us for our violated rights and the only reparation for the numerous injuries and

ve have received from Great Britain; and whereas the ex-
fenceless situation of the Town of York, open to the mari-
ons of an active and powerful foe (who is not known to draw
ly and feebly), requires that a proper representation thereof
nade to the Government; Therefore, Be it Resolved, that
fin, Joseph Morriset, and William V. Taylor be appointed a
o draft and forward to the Governor of the State a respect-
equesting of him the loan of one or more pieces of Artillery,
, with necessary implements and munitions of war, together
her arms as may be deemed necessary, and are usually at-
tillery companies.

1812.

ROBERT NELSON, Chairman.

OUTHALL, Sec'ty.

WM. SHARP TO THE GOVERNOR.

uest of Capt. Drummond, I herein send to your Excellency a
mmunication made to me yesterday. I am well acquainted
of the persons named on the list and know them to be of
ectability.

July 3,
Norfolk

I am, &c.

e names are hereunto subscribed, do agree to associate our-
present momentous crisis as a volunteer Artillery Company
f the war, which is now declared for the rights and honor of
against the injustice and Indignities of Great Britain and
ncies, to be composed entirely of those persons who are, or
a seafaring pursuits, and now residing on shore and not sub-
litia duty, subject to such rules and regulations as we may
nk proper to adopt for our own Regulations, June 25th, 1812.

erous meeting of the citizens of Patrick county, together
ank's Company of Militia, at the house of Capt. Jacob Critz
ay of July, 1812, for the purpose of celebrating the anni-
American Independence, when Major Brett Stovall was
e chosen President, and Capt. Elijah Banks Secretary.

July 4,
Patrick Co.

ks paraded and carried his company with life and anima-
many evolutions, and having formed a circle, which en-
e collection of ladies and spectators, who had seated them-
e a Booth erected for their accommodation, Col. George
a few observations appropriate to the celebration of the day,
ced that our country had closed with Great Britain in a

1812.
July 4,
Patrick Co.

solemn appeal to arms by a Declaration of War between the United Kingdom of Great Britain and Ireland, and the dependences thereof and the United States of America and their Territories. He recommended to the meeting to give an expression of their sentiment, whereupon the following resolutions were unanimously adopted :

1st. Resolved, that we have for a considerable time anticipated a war with England, and have viewed with horror and indignation the many and reiterated aggressions committed by her on our rights and liberties, injuries which are calculated to rouse the spirit of revenge in the minds of the most supine.

With singular pleasure, we take the liberty of declaring our entire approbation of the measures taken by the constituted authorities of our country, and pledge ourselves that at the hazard of our lives and fortunes we will support the honor and dignity of our country and prove ourselves worthy of the glorious heritage derived to us by the blood and treasure of our fathers, and cheerfully submit to all the privations incident to a state of war without a murmur.

2nd. Resolved, as the voice of our Government is for war, and the soft accents of melting commiseration changed into a tone of vengeance we are ready and willing to meet the proud despot who plumes himself upon the wrongs he commits and teach him and his myrmidons that : we provoke not to insult, we will at the point of the Bayonet repel every aggression and once more show him the folly of encroaching on the rights of freemen.

3rd. Resolved, that the firm and dignified conduct of our worthy Chief Magistrate is calculated in a super-eminent degree to insure the confidence of the people, and is entitled to the enthusiastic gratitude of every lover of liberty and free Government.

4th. Resolved, that it is with peculiar satisfaction we tender our most profound respects to all those members of Congress who have stood by their country at the awful crisis, and had the firmness to strike a blow at our most deadly enemy. Such men are worthy of the confidence of the Union, and under their guidance we may expect our Country will support its dignity and sustain its consequence among the nations of the earth.

5th. Resolved, that the activity and vigilance displayed by the Chief Magistrate of this Commonwealth in personally visiting the most exposed and vulnerable points bordering on our sea coast, and making necessary arrangements for its protection and safety, entitles him to warmest thanks and the unfeigned assurance of our confidence and support; and we are happy to add that the sentiments expressed by this meeting pervade the county generally.

6th. Resolved, that the thanks of this meeting be given to Col. Geo. Penn, together with the President and secretary, for their patriotic and manly conduct on this occasion.

7th. Resolved, that a copy of the foregoing resolutions be transmitted to the President of the United States, to the Executive of this Commonwealth, and published in some republican newspaper in the city of Richmond.

1812.
July 4,
Patrick Co.

BRETT STOVALL, President.
ELIJAH BANKS, Secretary.

W. EUSTIS (SEC'Y) TO THE GOVERNOR.

I am commanded by the President to request your Excellency forthwith to call into the service of the United States, two companies of Artillery and as many companies of Infantry as will make an aggregate force of five hundred militia, detached conformably to the Act of April 10th, 1812, and organized, armed, and equipped according to Law.

July 18,
War Department

Your Excellency will please to order these Troops to Norfolk as soon as practicable, and direct them to report to Colonel Freeman or the officer commanding on that station, who will post them for the defence of the town and Harbour.

I am, &c.

RO. POTERFIELD TO THE GOVERNOR.

Your letter of the 9th Inst. and the accompanying papers I have received. Permit me to acknowledge the obligation I feel for the flattering terms in which you have been pleased to communicate my appointment by the Executive as one of the Commissioners from this State, pursuant to an Act of the General Assembly of Virginia, for the purpose of ascertaining and establishing the line between the lands reserved for the benefit of the officers and soldiers of the late Virginia Line in the deed of cession made by the Commonwealth to the United States northwest of the River Ohio, which appointment or Commission I accept, and shall proceed in due time, accident or ill health excepted, to the place pointed out by the Act of Congress for the Commissioners to meet, and I beg you to be assured, Sir, shall in conjunction with the other Commissioners, use my best endeavors to completely accomplish the object of the mission.

July 27,
Augusta

You request that I will suggest some suitable character as a surveyor to run the line in question. I therefore recommend to the Executive Samuel Clarke, Esq., of Staunton, than whom I know not any Gentleman more highly qualified, and who will accept, provided the Executive may think it proper to give him the appointment.

I am, &c.

JAMES MCKENNEY TO THE GOVERNOR.

1812.
July 30,
Albemarle

Our Government having been compelled to wage war against G. Britain, it becomes the duty of every able bodied citizen to step forward in defence of his own and his country's right. Under these considerations, my eldest son, a youth of seventeen years of age, would join any corps immediately at Norfolk or elsewhere, if in your opinion his services is wanted; if the war is likely to continue, as many more as can be spared from other business will also march to any place they may be needed. Your patriotic exertions to put the State in the best possible posture of defence, calls forth my gratitude, and ought that of every man who is a well wisher to the State and nation at large.

I am, &c.

P. S.—I have six sons, perhaps 3 of them could do either field or garrison duty. I will also go myself if the war should be hot, if I can possibly put my family in a situation to do without me.

J. McK.

SAM'L MCCLURE TO THE GOVERNOR.

July 30,
Wheeling

Soliciting that the arms hitherto promised by the Council for the Cavalry Company commanded by him, consisting of eighty men, should be shipped by Baltimore to Wheeling, on the receipt of which the company were ready to march when and where ordered.

WM. PRICE (MAJOR 2ND BAT., 96TH REG'T) TO THE GOVERNOR.

July 31,
Brunswick

Tenders his services as an officer, and earnestly requests to be called with any part of the 96th Reg't as early as needed.

EDM'D LUCAS TO THE GOVERNOR.

August 3,
Smithfield

I have the pleasure to inform you that I arrived at this place with my staff on Saturday evening last. I found at Rendezvous Majors Nestell and Walls, Capt. Minetree's Company of Artillery from Dinwiddie, Capt. Smith's Infantry of the Line from Isle of Wight, and the Infantry of the Line from Surry. Capt. Blunt's Company, Infantry of the Line from Southampton, and Capt. Syke's Company of Light Infantry, arrived yesterday. Capt. Maclin's Infantry of the Line from Brunswick, and Capt. Lanin's Company of Light Infantry from Sussex, arrived to-day.

The Camp equipage, stores, &c., has not as yet arrived; suppose they must be detained by contrary winds. So soon as they arrive, we shall proceed to march immediately to Norfolk. Capt. Syke's Company of Light infantry having not been supplied with arms, Major Nestell and myself have thought it best (with the approbation of Capt. Minetree) to arm them with the muskets belonging to Captain Minetree's Artillery Company. Conceiving the service will be benefited thereby, hope it will meet with your active approbation. We experience considerable inconvenience on account of medical stores. The extreme heat and fatigue having disordered several of the troops marching from a distance. I, however, feel a hope so soon as we arrive at Head Quarters and give them some rest, they will recover from their indisposition.

1812.
August 3.
Smithfield

I assure you, Sir, I feel considerable satisfaction in informing you that I am highly pleased with the Majors attached to my Regiment, particularly Major Nestell, whose long experience (in the Revolution to obtain that Independence which we are now called on to protect) is of considerable benefit to me.

I am, &c.

A. TRIGG TO THE GOVERNOR.

Your favor of the 9th ulto., accompanied by a warrant constituting me one of the Commission to run a line between the lands reserved by the Commonwealth for the benefit of the officers and soldiers of the Virginia line, and lying between the river Scioto and Miami, in the State of Ohio, and the other lands ceded by the Commonwealth to the United States, came safe to hand last night.

August 3,
Montgomery

Accept my thanks personally for the polite and flattering communication, and the assurance that it excites my sensibility not more on account of the honor than as an evidence of the Executive confidence. I accept the appointment, and will endeavour to deserve it.

With respect to a surveyor, I know no character who follows that profession in whom I could place greater confidence than in Mr. Gordon Cloyd. I have this morning consulted his feelings by a note, and received the enclosed answer.

I am, &c.

SPRINGFIELD, 8th Aug., '12.

DEAR SIR,—Your intimation that I would be nominated to the executive for the purpose of running the line in Ohio between certain lands, I received by Capt. Trigg.

1812. You may, Sir, mention my name, and if I meet with the appointment I will serve.

I am, Sir, with respect,
Your most Humble serv't,

GORDON CLOYD.

Gen'l Abram Trigg.

RICHARD CORBIN TO THE GOVERNOR.

August 8,
King &
Queen Co.

I have the pleasure to communicate to you that the artillery company under my command, do not view with apathy or indifference the present crisis of our political affairs, nor are they content merely to approve the Patriotic exertions which may be made by others in the defence of our common rights, but they also wish to afford their own services in a contest so glorious, for which purpose they have unanimously entered into the following resolution:

At a meeting of the Artillery Company commanded by Capt. Richard Corbin, at King & Queen Court House, on the first day of August, 1812, the time of service for which a number of the Company had enlisted having expired, they again tender themselves, and the following resolution was entered into by the Company:

Resolved unanimously, that the services of the "King & Queen Artillery Blues" be immediately tendered to the Governor of Virginia to perform the next tour of duty.

THE OFFICERS AND MEN OF THE K. & Q. ARTILLERY BLUES.

WM. SHANNON, JOHN WALKER, AND JOS. CALDWELL TO THE GOVERNOR.

August 13,
Petersburg

We have the honor to acknowledge the receipt of your Excellency's communication of the 29th, in answer to ours of the 26th ulto., and agreeably to your request, we have made the necessary inquiry relative to the number of Volunteer Companies at this time attached to the 39th Reg't, and find the result as follows, viz.: 1st Battalion—2 Companies Infantry, Capt's Claiborne and Conway. 2nd—1 Company Infantry, Capt. Taylor; 1 Troop Horse, Capt. Hart; 1 Do. Artillery, Capt. Minetree.

Being ignorant of Law on this subject, we submit to your Excellency the above statement, with a request that should the above mentioned number of Volunteer Companies prove insufficient, you will be pleased to let us know as soon as convenient.

We are, &c.

J. P. MOON TO THE GOVERNOR.

Tenders by request the services of his Rifle company of Campbell County to the Governor for six months whenever called on.

1812.
August 15,
Campbell
County

JOHN CONNEL TO GEN'L BRIGGS.

The enclosed is this moment received, and think proper to send a Trooper to apprise you of it. I hope such information so often received warrant your ordering out the men that have volunteered themselves. All I ask is your orders to move.

August 27,
Charleston

I am, &c.

PITTSBURG, August 25th, 1812.

Confirmation.

An Express (Mr. John Alford) from Warren has just arrived at Pittsburg, and brings the following confirmation of the late disastrous intelligence; something certainly ought to be done either by the Military or Inhabitants of Pittsburg for the relief of the Frontier. Mr. Alford left Warren yesterday morning.

To Major-General Wadsworth.

CLEVELAND, 22nd Aug't, 1812.

SIR,—The forts Mackana, Detriot and Mawmie at the westward are in possession of the British, and from the best information we can procure, the Enemy were at Huron last evening on their way to this place and we expect them every moment.

It has been determined on by the inhabitants to make a stand at this place. The troops are marching in to our assistance from the adjacent Towns. We wish all the assistance which can be procured.

Yours respectfully,

GAYES PEASE, Brig. Major.

SAM'L JONES, Major.

N. B.—It is of the utmost importance that expedition is used, and if the Troops are furnished it will be of great use on this pressing occasion, but be sure to be on the spot without delay.

W. EUSTIS TO THE GOVERNOR.

1812.
Sept. 1,
War Depart-
ment

I am commanded by the President to request your Excellency to call out, arm and equip fifteen hundred of the detached Militia Infantry of Virginia as soon as practicable.

This force is destined to co-operate with the Northwestern army, and it is submitted to your Excellency to have the troops detached and rendezvoused at such part of the State as you may judge most convenient for their march to the western frontier of Ohio.

The recent issues of arms, equipments, and Camp equipage, render it necessary to require these troops should furnish themselves, or be supplied for their march from the Arsenals of the State.

I am, &c.

JOHN CONNELL TO THE GOVERNOR.

Sept. 1,
Brooke C. H.

Your order under date of June 25 was not delivered to me until the 29th ult'o—before this time you will have received intelligence that the Traitor Hull has sold our army and our Country so far as was in his power. Our fellow citizens of the State of Ohio requested our aid. I communicated that request by Express to General Biggs, and on the same day on further information received by me, I repeated my application as you will observe by the enclosed copies. His answer was verbal, that he had received no orders that would justify him in ordering out the volunteers. Your orders of June 25th were at that time in his possession (since delivered to me). I, however, continued to rouse the spirit of the Regiment, believing that our voluntary aid given in this hour of danger be approved by your Excellency and by the General Government. A committee of respectable Gentlemen came forward and offered their aid in furnishing supplies. You will learn with pleasure that 250 of your sons are now assembling at this point, determined to avenge our Country's wrongs. We shall march to-morrow completely equipt with arms, ammunition, provisions, waggons, Tents, &c., unless it shall appear that our assistance is not necessary. Our Cavalry volunteered, although without arms generally, determined to take Rifles, and act as occasion may require. Think of us as to arms, &c. The mail is waiting, I shall advise you of our movements.

I am, &c.

M. L. MILLER (CAPT. 2ND BATT., 33RD REG'T) TO THE GOVERNOR.

Sept. 1

Tendering services of his Rifle Company for six months.

JAMES MARSHEL TO THE GOVERNOR.

On receiving authentic information that General Hull had surrendered the Fort of Detroit with all the Troops under his command to the British army under General Brock, it was believed by a number of respectable inhabitants of this county to be our duty to raise a volunteer corps for the protection of the Frontiers untill the Government should provide more adequate means to repel the enemy. Colo. John Connel, an officer of some experience, tendered his services, and is this day ready to march to the Frontiers in the direction to Detroit, with about two hundred volunteers, but on receiving information that the Frontier inhabitants immediately opposite to us are sufficiently covered at present, we have thought it most advisable to suspend the march of this detachment for a few days; in the mean time they will be held in readiness to act as circumstances may require. For the equipment of this Detachment, four other citizens of this county, viz., Geo. Jetter, Robert Hartford, Wm. Wartenbe, Jacob Decamp and myself, have also volunteered our services and supplied about thirty days provision, with such quantity of arms, ammunition and Tents, &c., as were in our power to procure, together with baggage wagons and pack horses for their transportation. It will perhaps be satisfactory to my colleagues to have your Excellency's approbation for this service, together with such assurance as you shall think proper to give, that we shall be reimbursed our actual expenses, which will be very trifling indeed if the service of this Detachment shall not be required. In that case the principle expense will be money advanced for the linen which is made into Tents and napsacks for the men. On the provisions, ammunition, &c., there will be no loss either to the public or to us, every article being purchased at the current cash price. Permit me to observe that the want of arms is severely felt in this County, particularly Rifles, and swords and pistols for the Cavalry. Ammunition is also much wanted. If these articles are furnished by the Government, your Excellency may rest assured the Militia of Brooke county will do their duty.

1812.
Sept. 1,
Brooke Co.

I am, &c.

RICHARD E. PARKER (LIEUTENANT-COLONEL) TO THE GOVERNOR.

The intelligence of the unaccountable, and I fear shameful surrender of General Hull has just reached me. It seems to me time that Virginia should display her ancient spirit. With the truly brave, misfortune only serves to call forth dormant energies, and to excite latent powers. The errors we commit teach us how to repair them, and in any event the Republic is never to be dispaired of.

Sept. 5,
Westmore-
land

1812.
Sept. 5,
Westmore-
land

In common with every Virginian I feel for the public calamity, and wish to contribute my mite of service to retrieve the national honor. If the quota of Virginia, or any part of it is ordered to the westward I am anxious to make one. I have Youth and Health, and might supply the place of the aged or infirm, or of one who could not be so easily spared by the State. Under these impressions I again tender my services, and pray that I may not be overlooked.

I am, &c.

EDMUND LUCAS TO THE GOVERNOR.

Sept. 6,
Fort Norfolk

Soliciting pay for the officers and men under his command at Norfolk, in order that they may supply themselves with necessary clothing.

JAMES FAULKNER (CAPT. ARTILLERY) TO THE GOVERNOR.

Sept. 7,
Martinsburg

You will please accept my thanks for rescinding the order made of my resignation. Since that war has been declared and General Hull surrendered to an inferior force, now is the time for more Troops to march, and I can assure your Excellency that there is not an officer in the State that will receive your order to march with more pleasure.

My object in writing this is to remind your Excellency that I command as good a company as any in the United States, and if you will favor us with a call I will answer for it, will do honor to themselves and their country.

I am, &c.

W. EUSTIS (SECT'Y WAR) TO THE GOVERNOR.

Sept. 7,
War Depart-
ment

I have the honor to acknowledge the receipt of your Excellency's letter of the 4th, inclosing your general orders for detaching the Militia required by mine of the 1st Instant. The zeal and patriotism evinced on this occasion are justly appreciated.

A Blank commission of Assistant Deputy Quarter Master is transmitted with a request that your Excellency will select and fill the Blank with the name of some Gentleman who will faithfully discharge the duties of that office.

Ten Thousand Dollars will be ordered to the Credit of your Excellency to be put in the hands of such assistant Deputant Quarter Master as you may appoint for the necessary Expenses of the Troops in that Department on their march from the place of Rendezvous. His receipt will

cancel the charge which will be made against your Excellency for the present. The Pay Master of the Army is directed to adopt measures for paying the Troops after they shall have joined the Rendezvous. Arrangements have also been made for paying the Militia at Norfolk. The necessary information and orders will be transmitted to General Leftwich at Point Pleasant.

1812.
Sept. 7,
War Department

I am, &c.

P. S.—The contractor will be directed to issue Rations to the Troops at Point Pleasant, &c., on their march.

ARCHD. WOODS TO THE GOVERNOR.

Proposing to have arms manufactured in Wheeling of the same quality and price as are made at Richmond, sufficient for the Wheeling Troop of Cavalry, to the amount of eighty stand.

Sept. 8,
Wheeling

PHILIP PRYOR (CAPT. 1ST DIV. AND 1ST REGT.) TO THE GOVERNOR.

Tendering the services of his company of cavalry for six months within the State of Virginia.

Sept. 10,
Brunswick

JOHN CONNELL TO THE GOVERNOR.

Your favors of the 3rd and 4th current was duly received by your Express last night. I am truly sensible and grateful for the distinguished honor conferred on me by the appointment to so distinguished a command, and confidently hope that such services as I am capable of rendering, will meet your approbation, and that of every friend to our beloved country.

Sept. 15

I have issued orders to the several Captains of the Infantry of the Line, and to Capt. Pugh of the Rifle corps, to meet me at Charleston on Tuesday the 22nd with the requisition required by your orders of the 19th of April last, and doubt not but that your sons of the North-West corner of the State will do their duty.

My Staff is complete, and formed of Gentlemen fit and capable of performing service. My Quarter Master is now employing the necessary conveyance of the Baggage.

I shall proceed to Point Pleasant by water, that being the cheapest and most expeditious way of arriving there.

Capt. Wilcoxon's and Capt. Congleton's Companies of Light Infantry,

1812.
Sept. 15

and Capt. McClany's Troop of Light-horse feel damped at not having the honor to be on the first call.

The Infantry have arms. The Cavalry have none. I feel ashamed to meet those brave men when asked by them for arms.

For God's sake—for my sake—for our country's sake, arm these people as soon as possible. They are brave, active, and willing and ready to do duty. With regret I have to leave these men. God bless you and prosper our cause.

I am, &c.

D. J. CLAIBORNE (SURGEON 4TH REG'T, 1ST BRIGADE) TO THE GOVERNOR.

Sept. 16,
Fort Norfolk

Informing of the prevalence of bilious fever in the Bedford Artillery Company—Twenty-six cases and two deaths. Petitioning for removal to the upper country until cool weather. Asking for better shelter for the Troops there before bad weather.

JEREMIAH H. NEILL (CAP'T) TO THE GOVERNOR.

Sept. 24,
Lee County

In the requisition of the Militia of this State, May last, I was so fortunate as to get the command of the volunteers from the 94th Reg't. Being young and ardent in the love of country, I have felt very much disappointed that a call for my services and those of the patriotic company which I command, should have been deferred so long. The hardy sons of West Virginia have not been inattentive to the wrongs which have insulted our Country, and we are emulous to join our brethren in arms to avenge them. The Company under my command make me their organ to present a tender of their services to your Excellency, and with them I join in a petition that we may receive orders to march on the first requisition made to your Excellency.

We can be ready at a moments warning, and I believe there is not a man belonging to the corps who would not fall bleeding under the standard of American Liberty rather than retire from the field of Battle with disgrace.

In the name of the Company,

I am, &c.

DAVID SAUNDERS (COLO' 91ST REG'T) TO THE GOVERNOR.

October 2,
Bedford Co.

Reporting the number and condition of the public arms in the possession of the 91st Regiment.

JOEL LEFTWITCH (B. G.) TO THE GOVERNOR.

I have the honor to inform your Excellency that I arrived at this place on the 26th ult., at 3 o'clock P. M., finding only a Lieutenant and fifteen men, part of the quota from the county of Mason. A few days after which the troops began to come in briskly, and detachments arrive most daily. The whole of the field officers are now present except Major McGuire, and from the morning reports of this day, including a few that are absent on furlough, there are in Camp 825 men, officers inclusive. There have been no arrivals of troops from the Counties of Hampshire, Hardy, Monongalia and Randolph. But it is understood that they are in motion, and are expected in five or six days.

1812.
October 3.
Point
Pleasant

Those present are generally fine looking men, in high spirits and healthy, and as far as I have yet observed, discover a disposition to pay respect to the commands of their officers. Among the Rifle companies there is a considerable deficiency of Rifles. Those unarmed appeared on their arrival to be much opposed to the idea of receiving muskets, but the necessity of complying with the requisitions of your Excellency being explained, the opposition appears mostly to have subsided.

Information has been just received that the military stores and camp equipage are afloat on the Kanawha and will probably be here to-morrow, a circumstance that will be truly pleasing to me and gratifying to the troops who have heretofore encamped in Companies and detachments under the direction of their officers, as best suited their convenience and commodation. From the best information I have received respecting the route we expect to march as hinted in your Excellency's special orders of the 4th ult., it is considered almost impracticable to march an army with expedition without a travelling forge, for the procuring of which I have made arrangements, but am not yet certain that my purpose will be effected. The difficulty of procuring cartridges appears to be insurmountable in consequence of the scarcity of powder. Flints are expected to be in great demand towards the place of destination.

Your Excellency will please to receive these hints relative to inconveniences as arising from a consciousness of my duty to make the presentation. And be assured, Sir, that every exertion shall be made by my power to cause the troops I have the honor to command to be serviceable to our country, and an honour to the State from which they are about to be detached. I anticipate the pleasure of having the troops shortly arranged and equipped ready to execute the orders of your Excellency or the Secretary of War.

I am, &c.

JOEL LEFTWICH (B. G.) TO THE GOVERNOR.

1812.
October 12,
Point
Pleasant

I have at length the satisfaction to inform your Excellency by Express that the troops which I have the honor to command have collected at the general rendezvous, except some small detachments which are expected from the 14th and 106th Regiments which have not produced but little more than half their quotas.

A partial organization has been effected for the better regulation and disciplining of the troops subject to alterations when the whole are collected, the last company of which came in last evening. The organization shall now be effected immediately, and a correct return forwarded to your Excellency. From the Regimental morning reports of this date there are in camp and on furlough, thirteen hundred and eleven including Officers, and 319 Blankets are wanting. It seems impracticable to procure them, without which the troops must evidently suffer greatly as they have to act in a very cold climate and at a severe season of the year. It is confidently hoped that if possible the interposition of Government will remedy this inconvenience. We are also in want of ammunition, axes, spades and shovels, and such articles as are absolutely necessary, all of which might be readily procured *if we had funds*. Paymaster stationed here refused to reimburse the Captain with the money they expended for provisions in conveying their companies to this place. They have been at considerable expense, and murmuring being refused the money they had expended for the public good. Paymaster did not think himself authorized by his instructions to satisfy such claims, and it was with much difficulty I could silence their murmurings, by stating that some unintentional failure had produced this inconvenience, and the willingness of Government to discharge such claims.

I rece'd a letter from the Honorable Secretary at War directing me to march as soon as possible to the frontier of Ohio, and report myself to the commanding officer of the N. W. army. The same day I rece'd a letter from General Harrison, dated "Piqua, Sept'r 27th," in which I was informed that my destination is Wooster, in the County of Wayne, ten miles west of Canton, and my route through New Lisbon and Cambridge. The Virginia detachment and that from Pennsylvania unite at Wooster and form the right wing of the army, to be commanded by the Senior Officer, and march to the rapids of Miami.

I am preparing with all possible speed to hasten on to Wooster and expect to start in a very short time. All the troops not having arrived I shall leave an officer at this place to conduct them after us when they arrive.

I found it indispensable to appoint a Brigade Staff *pro tem.*, and made some arrangements to get ammunition.

The military Stores arrived the 4th inst., without much injury. The Tents are distributed and a regular encampment formed. The Infantry are furnished with arms and accoutrements, and such of the riflemen as are without Rifles will have muskets placed in their hands to-morrow.

1812.
October 12,
Point
Pleasant

As we shall march up the Ohio, if your Excellency should have any communications to make relative to reimbursing the Capt's or furnishing pecuniary supplies to purchase indispensable requisites, an express could intercept us at Charleston on the Ohio. The troops appear brave and willing to encounter any inconvenience that can be surmounted, but that of blankets is insurmountable.

I am, &c.

LEMUEL CORNICK TO THE GOVERNOR.

Recommending for appointment as Commissioner of Wrecks for Princess Anne County in place of Thomas Cornick, decd., either John Cornick, John T. Keeling, or Adam Cornick.

October 13,
Princess
Anne

Also asking leave to change his company from Infantry to flying Artillery.

THOS. NEWTON TO THE GOVERNOR.

Recommending Arthur S. Woodhouse for appointment as Commissioner of Wrecks for the County of Princess Anne.

October 13,
Norfolk

THOS. LYTT. SAVAGE TO THE GOVERNOR.

I am requested to state to your Excellency that by the death of Tully R. Wise, Esq'r, the late Sheriff. our county is without an officer of that description, and to solicit the favor of you to send on a commission for John Upshur, sen'r, who is the person next named in the recommendation last sent on.

Nov. 3,
Northamp-
ton

I am, &c.

JOHN CONNELL TO THE GOVERNOR.

Agreeably to your orders I repaired to Point Pleasant with the Quota of men from Brooke, where we arrived on the 2nd of October. I confess that I felt disappointed on finding that no person was authorized to pay the expenses of furnishing the troops boats, waggons, &c., the whole of which was furnished by some Gentlemen of Brooke and myself.

Nov. 11,
Camp at
Deleware

1812.
Nov. 11,
Camp at
Deleware

The accounts of expenses will be forwarded, and I hope will be immediately discharged. For want of funds the troops were detained several days, and with all the aid of Major Turner our movements were slower than could have been wished.

General Harrison is now at this place making arrangements for our further movements. The Paymaster Gen'l of the U. States has decided that the Staff shall be taken from the line, or only receive ten dollars per month. Under the laws of Virginia, which I conceive leave the choice with the Colo' of each Regiment, I made the best selection in my power and should the General Assembly not Justify, but let the U. States absorb all the power of construing the State Laws, and of course compelling me to select from materials not competent to discharge the duties, I shall with regret retire to private life and their await the fate of my country.

I am compelled from a sense of duty to inform your Excellency that several of the officers and privates have shamefully abandoned the Standard of their Country, and disgraced the name of themselves as Virginians.

Capt. Peck of Harrison, and Lt. Larimore of Hampshire, have both resigned, I believe more from Bashfulness than inability. I hope their names will be blotted from the Records of Virginia. A number of men have deserted, but are now daily bringing in, and some returning of their own accord, fearing that which shall be fully inflicted, the punishment of the law.

Please to accept my best respects, and present them to all my acquaintances now at Richmond in hopes of a successful campaign.

I am, &c.

The services rendered by Col. Robert H. Harrison in our revolutionary war were of that distinguished character to be known to the whole army to the Congress who conducted the affairs of the revolution, and in general to the American people. In the commencement of the war he was invited by the commander in chief to join him as aid de camp and principal Secretary, and he served in that station with as pure and unsullied fame as any person ever enjoyed.

In all the actions in which General Washington commanded, Colonel Harrison was present near the Person of the General, and exposed with him to equal danger. He assisted as I have always understood, in the Councils of war, where his opinions were highly respected. He was the faithful depository of the secret Councils of the General, of the confidential communications to him from Congress, of the military movements that were intended to be made, and of all those secret councils the preservation of which the success of the army and of the revolution

itself depended; and he was a most virtuous, able and active agent in promoting every measure that was decided on. In the most gloomy periods of the revolution, he was firm, persevering and undaunted. I particularly remember that in the ever memorable retreat through Jersey, his example in aid of that illustrious commander in chief, cheered the drooping spirits of others, and animated them to action. No person was more brave than Col. Harrison, none more faithful, and I say with confidence, that few, very few, rendered more important services to their country. Had he sought promotion in the army there can be no doubt that he might easily have obtained it, but he had no such ambition; to be eminently useful in the station which he held was the sole object of his heart.

1812.

It is impossible to look back to this eventful period, and especially to the great achievements of the army in which he sustained so distinguished and useful a part, by the various important and complicated duties he had to perform, without being deeply impressed with a sense of his rare merit and acknowledging with gratitude his very important services. He did not leave the army till the liberties of his country were secured, nor then till his constitution had received a severe shock. He was then withdrawn from it by the generous confidence of the State of Maryland, of which he was a native, although he had left and settled in Virginia many years before the commencement of the revolution. By the General Assembly of that State he was appointed its chief justice; no sooner however was an opportunity offered to the late commander in chief than he seized it to bestow on him a new and strong proof of his confidence and attachment, as well as of his high respect for his merit. On the adoption of the present constitution of the United States, when General Washington was called to the head of the Government, he appointed Col. Harrison a Judge of the Supreme Court of the United States. His Constitution however was too far exhausted to permit him to enter on the duties of that Office. He set out to undertake them, but did not survive the effort.

I certify these facts from a personal knowledge of them in their most important circumstances, having served myself in our revolutionary war three campaigns, those of 1776-7 and 8, in the first as Lieu't in the 3rd Virginia Regiment, and in the two last as aide de camp to Major General Lord Sterling, and they were afterwards known to me in common with other citizens who enjoyed public trusts by which they became acquainted with public affairs. The Documents, however, of the late army and of the Congress will sufficiently prove the facts. Of the recompense which Colo' Harrison received for his important services, I can say very little. I have no doubt, however, that he received nothing more than his pay by the month, depreciated as it was when received. He was among the most diffident of men and the last to set up a pretention or to make any claim for his services.

1812. It is proper for me to add that Colo' Harrison stood on the same ground in relation to Virginia that I did in the campaigns of 1777 and 8, in which I acted as aid de camp to Major General Lord Sterling. After that appointment I ceased to belong to the Virginia Line, nor did Lord Sterling command the troops of that State but of Jersey and Pennsylvania, yet the State of Virginia, regarding the service, made me the same allowance in land and depreciation of pay as if I had remained in the Line of the State.

Given under my hand at Washington this 23rd of November, 1812.

JAS. MONROE.

NOTE.—The above letter appears to have been written in support of a Memorial of Sarah Easton and Dorothy Storer, daughters of the above mentioned Robert H. Harrison, to the General Assembly of Virginia, filed with Mr. Monroe's Letters.—ED.

JOHN CROPPER TO THE GOVERNOR.

Nov. 24,
Accomack
County

Last night I returned home from Norfolk where I lately finished my tour in attending to the training of the Officers and reviewing the regiments of the 9th Brigade, and I am pleased with the improvement of the officers and men of each corps, which in addition to their own industry and zeal, I think much increased by the activity and intelligence of Major Maurice the Brigade inspector. It will be seen by the Brigade return, on its way to the Adjutant General's office, that arms and accoutrements are wanting, which I beg your Excellency to have sent in separate boxes for each regiment, to the care of Colo' Sharp at Norfolk, who will forward them without delay. After the review of the 54th Regiment, I went to Fort Norfolk to see its situation, and was conducted by Major Nestte accompanied by Major Wells, through every department of it. Colonel Lucas was very ill at the time, and many of the Infantry under his command sick, and those not on the sick list were represented to be dissatisfied. There does not appear to be that harmony amongst the Officers of the infantry and Artillery that could be wished. Major Nestte is represented to be very diligent and useful, but I fear that Lucas and Wells (both no doubt honest, patriotic men) are unacquainted and perhaps uneasy in their situations, and that there does not exist that unity between Fort Nelson and Fort Norfolk which ought to do for the effectual defence of them. My apology for making to you this communication respecting those forts must be my anxiety for the protection of this section of the Commonwealth and my duty to you as the Commander in chief.

I am, &c.

ARMISTEAD T. MASON TO THE GOVERNOR.

In a letter which I had the honor to address to you in June last, I informed you that I had taken measures to have the public arms belonging to the 57 Regiment repaired, and I promised as soon as they are ready for use to give you notice of it. I now communicate that information. The muskets, bayonets, Cartouch boxes and belts which were sent to Frederick Town to be repaired, have been brought back in excellent order. The Brass six-pounder is in complete readiness for service, and is placed under the direction of Capt. Wilkinson of the Artillery, who is with his company detailed for duty.

1812.
Nov. 25,
Selma

The Artillery and the Infantry of this Regiment which are ordered to be in readiness to march at a moments warning, are as well prepared for service as they are likely to be until they are actually ordered to march. We have in vain endeavored to make the men uniform themselves as the law directs. Even some of the Officers detailed for duty have hitherto failed to procure their Uniform, and it is certain that the privates will not procure theirs before they receive marching orders.

I have to repeat that the Officers are not provided with side arms, and that Capt. Wilkinson's company of Artillery is without swords and all their arms except the Brass six pounder above mentioned which is with all its necessary apparatus in complete order.

The 300 Muskets, &c., which you sent to this Regiment have enabled us to arm effectually the Infantry detailed for service, and several other companies of the Regiment.

I am, &c.

VAN RUTHERFORD TO THE GOVERNOR.

About seventy citizens of this county have associated as Volunteers, and I have through Gen. John Smith (of the House of Representatives), offered their services to the President of the United States. Genl. Smith in answer writes us that the Secretary of War informed him "That the Company would be received, provided the provisions of the *Volunteer Act* were complied with;" these provisions demand the Volunteer to be armed, clothed, and equipped ready for the field at his own expense.

Nov. 25,
Shepherdstown

Now, Sir, Ardent as most of our young men are to serve their country, they are utterly out of their power to comply with these conditions. Therefore I beg leave through you, Sir, to solicit the aid of the Commonwealth of Virginia as to the necessity of equipments.

I do it at the request and on behalf of the Company, being chosen by their suffrage their Captain commandant. The Gentlemen who will have

1812.
Nov. 25,
Shepherdstown

the honor of delivering this, is well qualified to give you any particular information which you may think necessary. We have volunteered our services as Riflemen.

I am, &c.

PEYTON DREW TO THE GOVERNOR.

November,
Gen. Court

It appearing to the Court upon inspection, that many of the Records of the proceedings of the General Court before the Revolution, are in a state of great decay and will probably in a few years become illegible, It is Ordered that the clerk do represent the same to the Executive with the Request of this Court that the same may be communicated to the Legislature.

I am, &c.

JAS. FAULKNER TO THE GOVERNOR.

Dec. 2,
Martinsburg

Since I had the honor of receiving a letter from Charles K. Mallory, Esqr., covering a list of the names of the Officers of the 1st Battalion of the 3rd Regt. of Virginia Artillery, I have called upon them for returns of the strength of their companies, the number in complete uniform, and the state of their side arms and ordnance. It appears from the returns that I have received, that there is some without any kind of arms whatever to Parade with, therefore as must be expected, but few or none in uniform; but it is with a great degree of pleasure that I have it in my power to state to your Excellency that they are ready and willing to march when called on to resent the injuries, and maintain the honor of their country in the present contest. Among the number I mention particularly, the Company formerly under the command of Capt. Stubling, but now of Capt. Sowers, for being completely equipped for service, even to their knapsacks, and I beg leave to request your Excellency's attention to Capt. Fishback of Wythe, and Lieut. Smith of Washington, who now commands the Company lately under the command of Capt. Jones that gave in his resignation to the Col. of the Militia of Washington County, in furnishing them with side arms and ordnance with the least possible delay, as they are ambitious to become acquainted with their discipline, and to have their men in full uniform if called on duty. I would also beg leave to suggest to your Excellency the necessity of the Legislature passing a Law putting the Artillerists of Virginia on as favorable footing as the Artillerists of our Sister States, in either appropriating the fines of the Companies, or allowing them so much Powder and Ball yearly for practice, for without ammunition it is impossible ever to learn the proper use of their cannon.

I am, &c.

IN THE HOUSE OF DELEGATES, FRIDAY, *Dec. 4th, 1812.*

1812.

The Hon'ble Robert Nelson was this day, by joint ballot of both houses of the General Assembly, elected Judge of the Superior Court of Chancery for the District of Williamsburg, to supply the vacancy occasioned by the death of the Hon'ble Sam'l Tyler.

WM. MUNFORD, C. H. D.

GEO. ROGERS CLARK BY W. CROGHAN TO THE GOVERNOR.

General George Rogers Clark, by a paralytic stroke he received about six years ago being deprived of the use of right side and unable to write, requests I would inform your Excellency that by the last mail he received your very flattering — of the 29th of October, where you do me the honor of approving in the highest manner his conduct as an officer in the service of the State of Virginia during the revolutionary war. This letter of yours with the very honorable manner his name is mentioned by the General Assembly in their Law of last session, have raved on his breast sentiments of the highest respect and gratitude. Flattering indeed he says it is to him to find that his exertions when discharging his Duty should meet the approbation of so respectable a body of fellow citizens as your Excellency and the General Assembly of Virginia.

Dec. 15,
Near
Louisville,
Kentucky

The General flatters himself that a conveyance will soon offer by which his sword (voted to him by the General Assembly) may be forwarded. Should he hear of any person coming from Virginia to this State, he says he will get them to apply for it; he is much obliged by your polite offer of transmitting to him the money the Assembly voted him last session, and says he will probably take the liberty of troubling you.

The General requests to make a tender to you of his thanks for your very polite and friendly attention to him.

I am with great respect,
Your Excellency's most obedt. servant.

WM. TATHAM TO THE GOVERNOR.

In my letter to you dated 10th May last, it is stipulated in conformity with your request and my confidence, that the rough, or copy of my communication to you containing 56 pages on the defence of Norfolk and adjacent maritime frontiers, together with the same of such connexions herewith as I had not time to copy, should be transmitted to me. This being hitherto unattended to, and the whole being in preparation

Dec. 15,
Washington
Columbia

1812.
Dec. 15,
Washington
County

for the Senate of the United States, where it will be on the tapis before you receive this, it will be important that your Excellency transmits these documents to care of the department of State without delay—what you need of them will be returned speedily.

I am, &c.

A. WALKER TO THE GOVERNOR.

Dec. 23,
Brunswick
County

Announcing the death of Colo. Lucas, Commandant of Fort Norfolk, and offering his services as his successor.

BRUNSWICK, 21st Dec., 1812.

Thomas Machin and Wm. Pritchett recommend Colo. Alexander Walker as successor to Colo. Lucas for the command of Fort Norfolk.

ROB'T B. TAYLOR TO THE GOVERNOR.

Dec. 23,
Norfolk

I received by the last mail your letter covering a Commission as Brigadier-General of the 9th Brigade, pursuant to a vote of the General Assembly.

The kind and flattering manner in which you have communicated it, claims my warmest acknowledgements. I beg you to believe, Sir, that such a proof of public confidence would at no time be received by me without the most lively emotions.

The time and circumstances under which it has been conferred inspire my warmest gratitude to the Legislature, and bind me by every generous tie to the Country which has so highly honored me. I will not, however, conceal from you that on receiving the first intelligence of this appointment, my best judgment decided me to decline it. Attached both by habit and choice to the Cavalry service, I never meditated or desired a change. This generous confidence in the legislature moreover, demanded the sacrifice of every view of personal promotion at the shrine of public duty. It would be an unworthy requital of the favor of my country if with the consciousness of my inexperience and inadequacy, I accepted a station vastly disproportionate to my powers. Connected as it has been by your letter with the offer of immediate service, and probably with the chief command at this place, these motions have been strengthened. The safety of this part of the State and the glory of our arms may depend on the talent with which it is executed. I dare not trust those precious objects to the guardianship of a zeal,

which however ardent and devoted, is equally destitute of experience or instruction.

1812.
Dec. 23,
Norfolk

For those reasons I earnestly wish to decline the appointment, while I cheerfully accept the proposal of immediate service.

The Executive has already honored me far, very far beyond my merits, by promotion in the Cavalry. Not wholly uninstructed in that service, though I dare not aspire at distinction, I may hope to be not entirely unserviceable.

I beg, therefore, that my services may be accepted in that situation where they may be employed most usefully to the State and most satisfactorily to me. In such an arrangement I do not ask such a force as is suited to my rank, but any, however inferior, which the Executive may bestow.

I will not, however, conceal the embarrassment which the office of immediate service as Brigadier has occasioned me. Should the Executive consent to accept my services in the Cavalry, I decline, without hesitation, the Commission now proffered. But if the offer of service be inseparably connected with the new appointment, if I am to be excluded from the field except in this new office, I have no alternative but to accept it. My Country may have cause to regret my inadequacy, but she shall never doubt my readiness to devote my life to her defence.

In this last event, I hope it will not be deemed arrogant if I solicit of the Executive the selection of some officers who are willing to accompany me into service. and on whose talents, activity, and skill I should greatly rely to sustain me in my command. I would beg too that as much time should be allowed me for previous arrangements as the public good may seem to authorize.

I am, &c.

WM. TATHAM TO THE GOVERNOR.

I do myself the honor to request that you will be pleased to make known to the authorities or persons to whom it may belong, to provide for the safety of your ports, harbours, or rivers, or to any respectable body of our citizens who may be associated for such purpose, that I am prepared to demonstrate by such drawings or models as may be reasonably required of me, the means of securely fortifying any point or position suitable for defending such places against a maritime enemy, by means of certain works which can be rendered shot, shell, and fire proof, and which can be placed in deep water if necessary. By other contrivances wholly my own patent-right inventions. I am further prepared to demonstrate and to direct the construction of means of greatly annoying or defeating the most powerful squadron or fleet of any maritime power

Dec. 27,
Washington
City

1812.
Dec. 27,
Washington
City

which may venture to invade us. The materials for such undertaking being very cheap and general throughout our coasts, and our maritime Militia the select force to be employed chiefly at or within reach of their respective habitations.

Knowing several hundred miles of our least known inland coastwise navigation intimately as well as the resources of the adjacent maritime countries, and possessing authentic charts, surveys and manuscripts of the whole, I am in a condition to open a correspondence on any particular of these designs on which it behooves me to be acquainted as directing Engineer.

I am, &c.

JOHN H. RICE TO THE GOVERNOR.

Dec. 30,
Richmond

Your note of the 10th inst. was handed me this morning at the Hall by my excellent friend Major Quarles, and I cannot but hasten to give expression to those emotions which it is so well calculated to excite.

It affords no small pleasure that the motives which prompted my address were fully appreciated by the Executive, and the expression of your approbation of them was received with peculiar sensibility; but what is most of all gratifying, is the sanction given by the Governor and Council to the measures which are deemed to be of all others best calculated to reclaim our unhappy fellow creatures confined in the Penitentiary; to recall those lost sheep into the fold of the Great Shepherd, and to make even the gloomy walls of the prison to resound with the voice of joy and gladness. It is superfluous to say that it will afford me very great pleasure to comply with the requests contained in your note, but I may be permitted to say that I do exceedingly rejoice that the Governor of Virginia, a State of which I have always been proud that I am a native citizen, entertains and expresses such sentiments concerning religion as I have received from you. I hail it as an omen for good to my country, for "when the righteous are in power the people rejoice."

It is my prayer that you as our chief Magistrate may be plentifully endued with heavenly wisdom, that in this time of trial your efforts for the common good may be crowned with complete success, and that under your administration Virginia may maintain that lofty character which she acquired in the days of the revolution. Pardon me also for observing that, while I feel it my duty to pray "for the ruler of my people," I can not but most earnestly beg of God to bestow on you personally every blessing of his bounty, and especially to give you that happiness (the best in life), which the religion of Jesus Christ when felt in its influences as well as acknowledged in its truth, can not fail to produce.

I am, &c.

RETURN I. MEIGS TO THE GOVERNOR.

I have the honor to transmit the accompanying Resolution and request your Excellency to communicate the same to the Legislature of the State of Virginia.

1813.
January 8
Chillicothe,
Ohio

I am, &c.

Resolutions relative to the Jurisdictional right of the State of Ohio over the Ohio River.

Whereas great difficulties and inconveniences are experienced in the punishment of offences committed on that part of the Ohio river bordering this State, requiring in the opinion of this General Assembly such specific arrangements with the States possessing concurrent Jurisdiction with this State on that part of the said river, as will remove all hazard of collisions of Authority, such as will secure the proper punishment of all crimes thereon committed, within the Jurisdiction to which it may most properly belong; Therefore,

Be it resolved by the General Assembly of the State of Ohio, That the Legislatures of the Commonwealths of Virginia and Kentucky be and they are hereby respectfully solicited to provide for the appointment of Commissioners on their respective parts to meet such Commissioners as may be appointed on the part of this State, at such time and place as the Executive of Virginia may appoint, to arrange and define by compact the extent and objects of their several concurring Jurisdictions on said river, subject however to the approval of the Legislatures of said Commonwealth and of this State and the consent of the Congress of the United States.

Resolved, That the Governor of this State be and he is hereby authorized to appoint three Commissioners on the part of this State to meet such Commissioners as may be appointed by the Commonwealths of Virginia and Kentucky, for the purposes set out in the first Resolution, and that he be requested to communicate the foregoing preamble and Resolutions to the Executive Authorities of Virginia and Kentucky, with the request that they be laid before their respective Legislatures.

WILLIAM SLORRETT,
Speaker pro tem of the house of Rep.

THOMAS KEIKER,
Speaker of the Senate.

Att: RALPH OSBURNE,
Cl'k H. Rep.

Att: CARLOS A. NORTON,
Cl'k of the Senate.

Jan'y 14th, 1813.

J. P. DEITRICH TO THE GOVERNOR.

1813.
January 10,
Norfolk

By some means or other, the Company of Artillery to which I formerly belonged (Capt. Ott's) has been reported to the Executive as disbanded. Whether this has been right or wrong, I know not. However, I have re-enlisted of the old company and others, thirty-five men who are ready to march, at a moment's warning, as Volunteers. The desire to retain their former name, to-wit: "The Norfolk Volunteer flying Artillery Company," and to be commanded by me as their Captain, Mathew Hubbard, jun'r, as First Lieutenant, and Benjamin Gautier as second Lieutenant.

Should the Executive think proper to accept of us, you will be pleased to cover the commissions to me.

I am, &c.

ABRAM TRIGG TO THE GOVERNOR.

January 12,
Richmond

I have now the honor to enclose the report of my transactions as one of the Commissioners for running the line between the Sciota and Little Miami Rivers in the State of Ohio. I regret exceedingly that it should have been made unaided by the views of General Porterfield the other commissioner. This step has however been unavoidable. On our return to Virginia the General's leg was fractured by a fall from his horse, and his recovery cannot be expected for some considerable time.

I am, &c.

To His Excellency Governor Barbour:

The undersigned, one of the Commissioners appointed in pursuance of an Act of the General Assembly of this Commonwealth, passed the 13th day of February, 1811, entitled an act authorizing the Executive to appoint Commissioners to unite with Commissioners to be appointed, on the part of the United States, in running a line between the lands reserved by and the lands ceded by this Commonwealth in the State of Ohio, respectfully reports:

That the undersigned and General Robert Poterfield, on the part of Virginia, and Messrs. James Kilbourn, Samuel Herrick, and William Ludlow, on the part of United States, having assembled at Xenia, in the State of Ohio, agreeably to the appointment of the President of the United States, on the 26th day of October last, proceeded to the execution of the Service they were by law directed to perform. The Commissioners proceeded from Xenia to the fork of the little Miami River, and some doubt arising which of the forks was the original Branch of

River, directed the Surveyor to survey and meander both to their relative sources, noting the width, depth, and length of each, and to down his work on paper, in the form of a map, for the better information of the Commissioners. This service was accordingly performed by Surveyor. His Notes Number 1, and his Map No. 2, are herewith nitted.

1813.
January 12,
Richmond

he Commissioners then proceeded to examine the line run by Israel Ludlow, under the direction of the Survey-General, and found its beginning marked on a large tree, upon the ridge which divides the waters of Little Miami Creek from the Eastern branch of the little Miami 120 poles east of the source of the said Branch, and taking its course N. 20 W., and running 41½ miles to the Indian boundary line.

he Commissioners then proceeded towards the source of the Scioto River, and instructed the Surveyor to extend Ludlow's line from the Indian boundary line to the Scioto, that they might know where it would intersect that River.

he source of the Scioto they found to be a pond, called by the Indians Little Lake, covering about a quarter of an acre of ground and of great depth, yielding a considerable stream of water until it enters a large creek, whence it loses its channel and spreads over it. From this point it issues in three channels, all of which unite in a small distance below it.

Ludlow's line being extended, and intersecting the Scioto River about 10 miles below its source, the surveyor was directed to run a line from the pond or Lake agreed upon as the source of the Scioto River, to the point agreed upon as the source of the east branch of the little Miami River, which was accordingly done, and a map made of the sources of the Rivers Scioto and little Miami, the line thus run (marked on the Map as Ludlow's line), together with the line run by Israel Ludlow under the direction of the surveyor General, and a line from the fork of the little Miami to the junction of the three streams of the Scioto that issue from the prairie as aforesaid, all of which lines will appear by an inspection of the Map No. 2, which is herewith exhibited.

Accompanying this Report is herewith also submitted a Map No. 3 which gives a full view of the Rivers Scioto and little Miami from their mouths to their sources, together with their relative and Geographical positions. On this map a line is drawn from the source of Scioto to the mouth of little Miami, which the undersigned believes to be the true proper boundary line between the lands reserved by this Commonwealth for the benefit of the officers and soldiers of the Virginia line on Continental establishment, and the other lands ceded by this Commonwealth to the United States, according to the true intent and meaning of the deed of session aforesaid, bearing date the first day of March, 1794, and is the only line which can be drawn between the Rivers Scioto

1813. and little Miami, which will include land sufficient to satisfy the claims
January 12, of the officers and soldiers aforesaid.
Richmond

ABRAM TRIGG.

A copy.

M. SATTERWHITE, Co. q. Clk. C.

ROBERT B. TAYLOR TO THE GOVERNOR.

January 14, Honor and duty forbid me to decline the overture of service made in
Norfolk your communication of the 19th ulto., as the Executive have not yielded
to my solicitations of service in an inferior rank. While your favor of
the 10th inst. reiterates the probability of my being called on as Brigadier-General, I have deemed it my duty to silence all scruples and accept the commission with which the Legislature has honored me. It shall be my study to merit their confidence. Should my abilities and fortunes bear any proportion to my zeal, I may hope that the State will have no cause to regret the appointment. In any event it will be no small consolation to me to reflect that I have neither indirectly sought high appointment, nor dishonorably refused myself to the call of my country.

I am, &c.

JOHN B. NICOLSON TO THE GOVERNOR.

January 20, The honorable terms in which the General Assembly of Virginia has
New York, been pleased to regard my services in the late Victory over his British
U.S., F. U.S. Majesty's Frigate, the Macedonian, impresses me with a sense of gratitude and thankfulness I cannot easily describe. It is a reward adequate to greater achievements than Providence put in my power to perform but it will always be cherished as an encouragement to more strenuous exertions and an excitement to a more ardent zeal.

In returning through the Chief Magistrate of *my native State* my grateful acknowledgements for this mark of esteem from the General Assembly, permit me, Sir, to tender you my best thanks for the polite manner in which you have had the goodness to make the communication.

I am, &c.

JOHN MALLORY TO THE GOVERNOR.

January 21, In this moment of hurry I seize my pen to drop you a few lines.
Delaware 4 o'clock this morning, I received a letter informing me that General Leftwich had received orders from General Harrison by express for 1

Va troops to march without the least possible delay to the rapids of Miami of the lakes. On the 18th, General Harrison wrote General L. that Cols. Lewis and Allen had advanced to the River Raisin with about 800 men, and expected to be engaged with about the same number of British and Indians. The express that brought the last letters states that he saw a letter from General Purkins (who is at the rapids) stating that our detachment had attack the enemy in their fortification, carried and took possession of them. 18 of the enemy were found dead in the field. The number of wounded is not ascertained. Our loss was 8 killed and wounded. But since it is thought that a cannonading has been heard in the direction of the R. Raisin. Whilst writing I have received information by Mr. Bartlett, who is field commissary Gen'l, that the above statement is correct, and Lewis drove the British and Indians 2 miles. It is probable the British have got a reinforcement from Malden, which is only 18 miles from the River Raisin. General Harrison has sent on a reinforcement to Lewis, but they have double the distance to march that the British have. General Harrison has given me liberty to go on with the army, provided I can get some person to attend here to purchase corn for the teams that are passing with their loads. I have loaded at this place within the four last days, 700 pack horses, 60 wagons, and 100 sleds with flour and Q. M. stores. I am giving \$2 per bushel for corn delivered at upper Sandusky, and you must know from the quantity necessary to supply the army that it takes the cash by whole-sail. You may rest assured that we shall do something of consequence soon as we have a sufficiency of provisions forwarded, and all our Artillery was started the 18th from Sandusky for the rapids, and we have forwarded a sufficient supply of Ammunition. I cannot account for not receiving a letter from you. I calculate that you have made arrangements with the Bank of Virginia to settle with the Bank of Chillicothe. I am getting tolerably fond of a soldier's life, if it was not for leaving my family.

1813.
January 24,
Delaware

Tell Colonel Cammil I am much obliged to him for aiding Mr. Gordon in selling his leather, as he stated to me that he would not of been able to of disposed of it if he had not of assisted him. I hope you will write and tell the Col. that he may calculate on my writing to him when I arrive at Fort Malden. I must draw to a close, as the express is now ready to start.

I am, &c.

JAMES WILSON TO THE GOVERNOR.

It appears by a communication made to the Commissioners appointed by Law to open a road from N. Carolina to Richmond by the agent appointed to collect the arrears of Taxes appropriated to the opening the

January 27,
Richmond

1813.
January 27,
Richmond

said Road, that a part of that fund has been by the direction of the Executive vested in Land. The Commissioners having made considerable progress in carrying that Law into effect, have instructed me to request the Executive to order a sale of the said Lands that the money may be had as soon as circumstances will permit.

I am, &c.

JAMES MONROE TO THE GOVERNOR.

February 3,
War
Department

I have had the honor to receive your Letter of the 28th ultimo, and to communicate it to the President.

It has been the object of the Government to provide in the most ample manner for the protection of all our Seaport Towns and of the Coast, so far at least as the means committed to its charge may be adequate.

This object has been in view in every proposition to Congress relative to the augmentation of force, and will be attended to in the future disposition of it. It will be recollected, however, that as our Towns are numerous and our Coast of vast extent, much reliance ought to be placed in the local force in aid of the measures which may be adopted by the General Government for that purpose.

Some delay has been deemed necessary in making a communication to you on this subject, in the expectation of a general arrangement being adopted in connection with the Bill which has lately passed Congress, for an augmentation of the force. A Secretary for this Department having been lately appointed and being daily expected here, it seems proper that he should be consulted on it.

I will however have the honor to communicate to you in a few days, in case he should not arrive, the sentiments of the President on a concern so important to the interests of the State.

I am, &c.

WM. SHARP TO THE GOVERNOR.

February 4,
11 o'clock at
night,
Norfolk

This day between one and two o'clock a British squadron of two line of Battle Ships (74s), three frigates and a tender appeared in the Bay opposite the pleasure House, and after manœvering some time anchored in Lyn Haven Bay late in the afternoon, where they now remain. They sent boats as high up as Willoughby point, which were recalled by a gun from the Admiral's ship. They brought to a pilot boat and took pilots from Her. At half-past 3 o'clock I received positive evidence of these facts, and immediately placed the 54th Regiment under arms. A part of

his Regiment is now on duty; the residue are ready on the appointed signal being sounded. I sent an express to Col. Magnien, and have seen Col. Lee. The Regiments under their respective commands are now assembling. When the British ships appeared the U. S. Frigate Constellation was in Hampton Roads. She is now at anchor between the two forts, having fortunately got up in the dark.

1813.
February 4,
11 o'clock at
night,
Norfolk

All our reconnoitering parties from the Bay shore have come in. The ships still remain in the position above stated.

I am, &c.

WM. C. VEALE TO COL. WM. SHARP.

There was to-day a boat load of prisoners sent on shore from the British Squadron. Among the prisoners is Capt. Walter Colter, who gives us the information that Sir John B. Warren intends, as soon as possible, to land a large force for the purpose of procuring water, &c., and calculates on being opposed. The Boats will be armed with cannonades to cover the landing.

February 5,
Pleasure
House

It was the intention of the British Admiral yesterday to have gone as high as Norfolk for the purpose of plunder, &c., had not the wind died away. There is no men here, but I am endeavoring to place the shore in a state of defence.

Your immediate assistance and co-operation will be needful.

I am, &c.

ROBERT G. SCOTT TO THE GOVERNOR.

Tendering the services of himself and fifty young men, armed and equipped as mounted Infantry at their own expense, for thirty days service in intercepting marauders from British Ships in the vicinity of Hampton.

February 5,
Williams-
burg

WM. SHARP TO THE GOVERNOR.

At 4 o'clock yesterday afternoon I rece'd a letter by Express from the r Shore (pleasure House), of which the enclosed is a copy. The operators sent down yesterday this moment returned, and report that the my continue in the same position, and were joined last night by two er frigates. That they yesterday evening burnt a schooner and sent crew on shore, who say that Admiral Warren is determined to water

February 6,
Norfolk

1813.
February 6,
Norfolk

and if necessary to send one thousand men to effect this object, and his intention is to do so this day or to-morrow. It has been stated the enemy will make an attempt on Norfolk, and I much fear with force in our unprotected situation will succeed.

Your Excellency need not be told what the consequences to the as well as to individuals here will be.

The United States have property at Gosport, supposed to be two Millions—what inducements to the enemy! I have many applications for arms for the Militia and the Country, and for Ammunition. Princess Anne is badly off in both these particulars—a great portion of their arms are unfit for service. No ammunition (of account) for muskets and none for cannon. Norfolk County is nearly in the same situation. I have about thirty rounds of musket cartridges to each man, but the supply for Artillery is very insufficient. Our whole force in men does not exceed three hundred.

I am, &c.

LETTER FROM WILLIAM W. HENING ENCLOSING GENERAL ORDER

ADJ'T GEN'L'S OFFICE, RICHMOND, *11th Feb'y, 1811.*

February 11,
Richmond

SIR,—A very recent domestic calamity having induced the resignation of Maj'r John Scott, of the 30th Reg't, Caroline, the executive has succeeded to detail Maj'r William C. Veale of the 20th Reg't, Princess Anne, now in actual service, under the orders of his Colo. Command't, to supply his place, in the detachment called out, in pursuance of the General Orders of the 6th current.

I deem it my duty to give you the earliest information of this change in the Field Officers.

And am, rep'y y'rs,

WM. W. HENING, D. A.

His Excell'y James Barbour, Gov. or Com'd'r in Chief, Norfolk.

General Orders.

ADJUTANT GENERAL'S OFFICE,
RICHMOND, *6th Feb'y, 1811.*

In order to repel a threatened invasion of this state, the following detachments of the militia are required, without a moment's delay, to take the field, and repair to Norfolk and Hampton, as hereinafter specified, viz:

The whole of the Infantry, Light Infantry, and Rifle-men detached under the General Orders of the 19th of April last, from the 83rd

ent, Dinwiddie; 39th, Dinwiddie; 59th, Nansemond, and so many, in addition, as will amount in the whole to 250 effectives; 20th, Princess Anne; 52d, Charles City and New Kent; 68th, James City and part of York; 6th, Essex; 37th, King William; 9th, King & Queen; 30th, Caroline; 102nd, Powhatan; 40th, Louisa; 38th, Goochland; 7th, Norfolk, and so many in addition, as will amount in the whole to 150 effectives; 5th, Norfolk, and so many in addition, as will amount in the whole to 50 effectives.

1813.

Together with the following detachments specially designated:

Capt. Gamble's Troop of Cavalry, City of Richmond; Heth's Troop of Cavalry, Chesterfield; Cooper's Troop of Cavalry, 115th Regiment, Elizabeth City; Corbin's Company of Artillery, King & Queen; Crichlow's Company of Artillery, Southampton; Roger's Company of Artillery, Gloucester; Pryor's Company of Artillery, 115th Regiment, Elizabeth City; Taylor's Company of Riflemen, 19th Regiment, City of Richmond; Henley's Company of Riflemen, 33d Regiment, Henrico; Sergeant's Company of Riflemen, 115th Regiment, Elizabeth City; Green's Company of Infantry, 16th Regiment, Spottsylvania; Shield's Company of Light Infantry, 115th Regiment, York; Taylor's Company of Light Infantry, 39th Regiment, Petersburg.

Two volunteer companies, who have tendered their services, from the 29th Regiment, Isle of Wight.

The detachments from the 68th and 115th Regiments, with Capt. Cooper's Troop of Cavalry and Capt. Pryor's company of Artillery, to repair to Hampton, and report themselves to Major Gawin L. Corbin.

The detachments from the 6th, 87th, 9th, and 52d Regiments, and Capt. Corbin's and Roger's companies of Artillery, to rendezvous at Williamsburg, and proceed from thence to Norfolk.

The detachments from the 29th, 83d and 39th Regiments, with Capt. Alexander Taylor's company of Light Infantry, and Capt. Crichlow's company of Artillery, to rendezvous at Smithfield, from whence they will proceed to Norfolk.

The detachments from the 30th, 40th, 38th and 102d Regiments, with Capt. Green's company of Infantry, from the 16th Regiment, to rendezvous at Richmond, and from thence proceed by the most direct route to Norfolk.

The detachments from the 59th, 20th, 7th and 95th Regiments will repair immediately to Norfolk.

The troops of Cavalry of Capts. Gamble and Heth, and the Rifle companies of Capts. Henley and Edmund Taylor, will proceed forthwith to Norfolk.

The whole detachment to be under the command of Brigadier-General Robert B. Taylor, of Norfolk.

Field Officers.—Col. James Clarke, of the 102d Regiment, Powhatan;

1813. Col. William Sharp, 54th Regiment, Norfolk Borough; Col. Francis M. Boykin, 29th Regiment, Isle of Wight; Maj. Archibald Ritchie, 6th Regiment, Essex; Maj. Wm. C. Veale, 20th Regiment, Princess Anne; Maj. James Maurice, 54th Regiment, Norfolk Borough; Maj. Wiley Campbell, 9th Regiment, King and Queen; Maj. Wiley Parker, 59th Regiment, Nansemond; Maj. Gawin L. Corbin, 68th Regiment, York.

The detachment at Hampton will be commanded by Major Gawin L. Corbin.

Major Richard W. Byrd will command the Cavalry.

Major Charles Fenton Mercer and John Campbell, esq., are appointed *Aids de Camp* to the Governor, or commander-in-chief, and are to be respected accordingly.

Commandants of Reg'ts from which detachments are drawn will provide not only the usual camp equipage, but for its transportation; and the commanding officers of each detachment will procure the necessary supplies on the march, which will be paid for by the public. Impressments, as authorized by law, are to be resorted to when necessary.

General Taylor will organize the several detachments into Regiments and Battalions as soon as his force shall be concentrated.

By order of the Governor or Commander in Chief.

WILLIAM W. HENING, D. A. G.

WILLIAM HENRY ALLEN TO THE GOVERNOR.

February 7,
Providence

I have the honor to acknowledge the receipt of your Excellency's Letter of (the 7th of January), covering sundry Resolutions of the General Assembly of the Commonwealth, expressing the high sense they entertain of the signal achievements effected by the skill and courage of the officers and brave crew on board the Frigate United States in the capture of His Britanic Majesty's Frigate, the Macedonian.

The distinguished manner in which the Legislature of Virginia hath been pleased to notice my services in the performance of my Duty on board the Frigate United States, has excited in my bosom sensations the most proud—the most grateful—commingled with the regard I feel that those services should have been so overrated by a Gallant and partial Commander as to elicit that approbation which is due alone to high desert.

In requesting of your Excellency to convey to the Legislature of Virginia the high sense that I entertain of the distinguished manner by which they have expressed their approbation, I beg of you also to assure them, That the sword, the emblem of my service thus devoted to me in confidence, will be accepted as the incentive to those deeds that will render me more worthy of such eminent distinction.

Permit me also to request of your Excellency to receive my most sincere acknowledgements for the very flattering manner in which you have been pleased to convey to me the Resolutions of that Honorable body, and to tender to your Excellency individually the homage of true respect.

1813.
February 7,
Providence

I am, &c.

WM. SHARP TO THE GOVERNOR.

We were alarmed on Saturday night between 9 and 10 o'clock by the firing of a heavy cannon from a Gunboat near Craney Island and one from Fort Norfolk, immediately after which the Frigate and Fort Nelson beat to arms. I was on Horse-back and instantly done the same thing, and although the alarm proved unnecessary, I was much gratified, for never since I have been in command have I witnessed the alacrity with which the Militia of the 54th turned out—in less than one hour (late as it was, many being in bed,) our whole force was collected, formed and ready to act.

February 8,
Norfolk

The same evening a serious affair occurred: From thirty to forty Spanish and Portugese Sailors assembled armed with knives, and before their object was known, killed one man and badly wounded several others.

In a few minutes we suppressed the mob, and these cowardly assassins fled. We, however, succeeded in apprehending fifteen of them, who are now in jail. Some of them, it is supposed, will die of the wounds justly inflicted on them by the American Sailors.

On Saturday evening the two 74 Gunships went to sea and had not returned at sunset last night. The other British ships still remain. We are very much harrassed with watching, but shall not relax. We believe that before now aid is preparing for us. It cannot come too soon. Your Excellency is aware of our wants, as well in ammunition as men. I go to-day to the Bay Shore (Pleasure House), where between two and three hundred men of the 20th Regiment are assembled in arms) to make arrangements with Col. Robinson for co-operation, and to establish communications. Col. Robinson yesterday drew from the Contractor, for the United States, rations for four hundred men for eight days, and to-day will receive from Major Nestell twenty Tents.

Yesterday three Captains and eight or ten Seamen arrived from the enemy's ships on parole. They state that two other 74s (Poitiers and Northumberland), with a Rear Admiral, are daily expected to join the British Squadron. I understand that admiral Warren has declared this, and all Southern ports, in a State of Blockade, and officially notified Col. Freeman of the fact by letters received yesterday.

I am, &c.

W. K. ARMSTEAD TO THE GOVERNOR.

1813.
February 10,
Tappahan-
nock

I hasten to comply with the request contained in your note of the 6th Inst. I am happy it is in my power to render my native State any assistance at a time so important. I presume Col. Selden has full powers to comply with requisitions for work-men and materials necessary for forwarding the contemplated repairs. The Batteries when completed will mount sixteen Guns—a less number will answer—say ten, they should be of the largest calibre, the Arsenal in Richmond can supply. I wish you, Sir, to inform the Secty. of War that you desired my services at Fort Powhatan.

I am, &c.

JOHN ARMSTRONG TO THE GOVERNOR.

February 10,
War
Department

I have had the honor to receive your Excellency's Letter of the 7th inst., and a letter from Mr. Chas. K. Mallory, dated Richmond Council Chamber February 28th, with their enclosures.

Col. Freeman, commanding at Norfolk, has been instructed to concentrate the recruits raised in that vicinity, and is authorized to require your Excellency such Detachments of Militia as may be found necessary for the effectual defence of the Harbour.

The President is assured of your Excellency's co-operation in such measures as may be adopted for the protection of the Country and the support of the Government.

I am, &c.

JAMES BARBOUR (GOV.) TO THE LIEUTENANT-GOVERNOR.

February 11,
Norfolk

I arrived here last night and found everything safe. A small affair between the Enemy and the Militia in Princess Anne has taken place concerning the possession of a boat. Some few prisoners have been made by the Militia. The contest from the last accounts is still going on.

The whole fleet is still in the Bay. Our forces are hourly coming in and I flatter myself that Norfolk is, for the present at least, in no danger.

Let me hear what the Legislature have finally decided on as to the Eastern defences. In great haste,

I am, &c.

RO. QUARLES TO THE GOVERNOR.

Capt. Lee of the Schooner Argonaut will sail to-morrow from this place for Norfolk, charged with the Flour and Beef ordered by you. I shall write to you and to Capt. Carghill by the vessel, but I thought it not advisable to drop a line now in order to enable you to make some arrangements for those provisions when they arrive. It has been suggested that Jennings will not receive them. in such an event you will act with them as seems best to you. The articles will be paid for here, except the freight and charges subsequent to their leaving this place. An Invoice will be forwarded to you with the provisions.

1813.
February 11,
Richmond

The House of Delegates are at this moment acting on the defence Bill. I tremble for the result. I much fear that the torpor is so invincible as to produce a total rejection of all regulars—Garrott has just made a motion to that effect. We are in sack-cloth here to-day in consequence of the melancholy tidings from Genl. Winchester.

Your family are all well and in good Spirits, at least as much so as could possibly be expected. Our ardent *wish* here is that you may have a fair opportunity of trying your skill in Battle.

I am, &c.

CHAS. K. MALLORY TO THE GOVERNOR.

I transmit for your information the enclosed letters received this morning from Mr. John Mallory, of the N. Western Army.

February 11,
Council
Chamber

You will read with anguish the distressing particulars of General Winchester's total defeat.

Letters from Washington state, I understand, that not more than twenty-five of his men escaped, and that he himself was not only scalped but actually quartered.

Col. Clark with the Powhatan Militia has just arrived in Town. Those from Goochland are expected on Saturday. Every necessary arrangement has been made for the accommodation of those already arrived.

The same attention shall be observed towards the rest as they come in.

I am, &c.

THOMAS ARCHER TO THE LIEUTENANT-GOVERNOR.

Our situation here is really distressing—troops constantly passing through on their march to Norfolk and Hampton, and not one company to remain with us; you, My D'r Sir, are well apprised of our exposed and defenceless situation.

February 12,
York Town

1813.
February 12,
York Town

The few male Inhabitants are nearly worn out with fatigue from the circumstance of having been on guard every night for the last ten days. Would it not be wise—would it not be humane in the Executive to order immediately to this place some Artillery and one or two companies of Militia to protect the Inhabitants. In the absence of Major Corbin (who commands at Hampton), his duties as Commandant of the Lower Battalion devolves on me, and I am daily importuned by the people in this neighborhood to order out a force for their defence. I volunteer most cheerfully my services to command a detachment that might be drawn from the 68th Regiment, we are well armed and could procure ammunition sufficient.

There is a report (brought by some deserters from the British fleet) that they intend to send a vessel to this place for the purpose of getting water, and such a report is well calculated to keep alive the fears of the people.

I shall be happy to hear from you as soon as possible.

I am, &c.

CHAS. K. MALLORY TO THE GOVERNOR.

February 13,
Richmond

Your favor of the 11th inst. was received this morning, and relieve us from a considerable degree of anxiety, which, for a day or two past we had felt to hear from you.

Believing it will be gratifying to you to obtain something like specific information as to the extent of force contemplated to be provided by the General Government for the protection of Norfolk and the adjacent country, I enclose you a copy of a letter received by last night's mail from Col. Monroe upon this interesting subject, a copy of which I also laid before the General Assembly early in the day.

It is now four o'clock. The House of Delegates has just adjourned having for several hours been engaged on the Eastern defence Bill, which I have the great satisfaction to inform you, after an ineffectual effort to postpone it to the 31st of March was made, has passed that Branch of the Legislature by a majority of ten votes, notwithstanding the absence of so many members who felt a peculiar solicitude for its success.

The force proposed to be raised by it is to consist of *one Regiment of Infantry, A Troop of Cavalry, a Company of Riflemen, and two companies of Artillery to serve during the War.*

Letters from Washington, received in Town since the date of my last, contradict the account of Winchester's death, but confirm that of his defeat. They state that he is taken prisoner with about 400 of his men. That the battle was one of the bloodiest ever fought in America and that our troops displayed a valour and heroism almost unprecedented.

On the receipt of Mr. Mercer's letter, I immediately sent off expresses to Louisa and Caroline to stop the marching of the Militia from those Counties. 1813. February 13, Richmond

Col. Clarke and the detachment from Powhatan leaves Town for Norfolk early to-morrow. I understand another Company from the Country has just arrived. Whose it is, I as yet know not. I shall be happy to hear from you from time to time. On my part will take great pleasure in communicating all the intelligence from this place of an interesting nature.

I am, &c.

CHAS. K. MALLORY TO THE GOVERNOR.

I have the great satisfaction to inform you that the defence Bill has just passed Senate—ayes 11; noes 9. February 15, Richmond

Every proposition to amend it was rejected. Its friends dreading the 31st of March, were determined it should not be sent back to the House of Delegates.

The Senate dispensed with the usual forms of proceeding—the bill was read three times and passed to-day.

The Goochland Militia arrived in Town on Saturday last, and will proceed on this evening or to-morrow for Norfolk.

Nothing new was received by the last Northern Mail. It is rumoured in Town that the British have landed on Gynn's Island in Mathews. We yesterday dispatched two wagons loaded with arms and ammunition to that and Gloucester County.

I must beg the favor of you to correct an error which through haste I committed in my last. I observed that Col. Clarke and his detachment from Powhatan leaves Town, &c. Strike out and, and insert *with*.

I am, &c.

RO. QUARLES TO THE GOVERNOR.

The Legislature having consented to raise one thousand men for the defence of the State, it strikes me that you will have it much in your power whilst in the lower country, to ascertain suitable characters to command in this Regiment. I think it will be important to make the selection of officers from the lower section of the State where it is probable the principle enlistments will be made; if, therefore, we can hit upon such characters as in other respects are well qualified, it will be a considerable additional recommendation that they should possess some degree of popularity in the counties from whence the enlistments are

1813. expected to be made. Candidates for office are crowding in with *honor*
 February 17, *alacrity*. Entre nous I wish you had finished your arrangements at
 Richmond Norfolk and could be with us here.

I am, &c.

THOS. EWELL TO THE GOVERNOR.

February 20, Offering to supply the State with 200 Barrels of gun powder (100 lb
 Washington per Barrel), at sixty cents per pound, to be tested in Alexandria or else-
 City where.

JOHN B. OGG TO THE GOVERNOR.

February 22, The Revenue Bill passed by the General Assembly of Virginia for the
 Richmond support of the Government of this Commonwealth for the present year
 of 1813, has imposed a Stamp Act on paper made negotiable at the Bank
 of this State and their Branches, which Law I presume will require
 special appointment for the purpose of executing the Stamps and collect-
 ing the Revenue arising therefrom, which appointment will no doubt
 devolve on the Executive. If so, I take this opportunity and make
 offering (for your consideration) my services for that appointment, pledg-
 ing myself for the faithful performance thereof, should I be favored with
 that appointment.

I am, &c.

D. SHEFFY TO NATH. H. CLAIBORNE.

February 23, I take the liberty, sanctioned by our former friendship, to request
 Washington your answer to the proposal which this contains as soon as shall be con-
 County venient.

I have seen in an act of the General Assembly that a sum of money
 appropriated to purchase munitions of war. I am desirous of supply-
 ing the Lead if any should be wanted.

The terms are 250 Dollars per Ton, delivered in Richmond in six
 days or less, if required, as I have a large quantity lying on James
 River.

The Lead is superior to the Louisiana Lead and equal to any in the
 world. I furnished about 7 Tons last spring at 200 Dollars. Since then
 the war has increased the price of that Article from fifty to Seventy
 Dollars per Ton.

I am, &c.

CONSTANT FREEMAN TO THE GOVERNOR.

Brigadier General Taylor has communicated to me information which he has received that induces me to believe the Enemy have seriously contemplated an attack on Norfolk. I therefore, in pursuance of the authority given to be by the honorable the Secretary of War on the 9th of last month, to make requisition on your Excellency for Militia to meet such contingency, have to request that you would be pleased to direct that two thousand men properly officered may be ordered for the defence of the Forts in this harbour and for the protection of the Borough.

1813.
March 4

I enclose extracts from the letter of the Secretary of War before mentioned. I shall by the mail of to-morrow report to the Secretary of War the communication I have now the honor to make to your Excellency.

I am, &c.

Extracts from a letter of the Honorable The Secretary of War to Col. Constant Freeman, dated 9th Feb., 1813:

"You are hereby authorized to make such requisitions for Militia on the Executive of Virginia as may be necessary in your opinion to meet the circumstances detailed in your Letter."

There is at Richmond a Company of Volunteers whose service has been accepted under the Acts of the 6th of Feb'y and 6th of July, 1812. These you will call into service."

The foregoing are true extracts.

CONSTANT FREEMAN, Col. Art'y.

MILES SELDEN TO THE GOVERNOR.

Reporting the advice of Major W. K. Armistead as to the needs of Fort Powhatan to place it in a proper condition for defence.

March 5,
Prince
George

Recommending Lawrence G. Acres for any appointment in the State Regiment below a Captaincy.

ANDREW J. McCONNICO TO THE GOVERNOR.

At 11 o'clock on Thursday night I dispatched an express communicating what had passed in relation to the requisition of Col. Freeman, and enclosing his Letter.

March 6,
Norfolk

I had hoped to have found leisure to say something more on that subject, but it is impossible. Our information from the Pleasure-house yesterday states the Enemy's Forces to be Four Seventy-fours, 5 Frigates, and a number of smaller vessels, making in all seventeen Sail. Some

1813.
March 6,
Norfolk

of the latter may be prizes. On the 4th, a boat from one of the Enemy's ships attempted to land, but on the appearance of some Gentlemen on Horseback, a signal was hoisted and the boat immediately returned to the Ship.

In consequence of the understanding I have had with Col. Freeman, by which the forces of the State under my command are placed by his requisition in the service of the General Government, I have assumed, as the superior officer, the controul of the Forts, and have directed a Fleche to be constructed at Fort Nelson, and 12 heavy pieces of Artillery to be mounted, with other dispositions for the better defence of the reverse, as also the repairing of the Parapets.

I have also directed works to be constructed for the better defence of the reverse of Fort Norfolk, and this morning I have begun intrenching the approaches to the Borough, and two hundred and eighty men, with a corresponding number of officers and non-commissioned officers, are now at work in the absence of the General.

I am, &c.

Statement of Mr. Matthias Rich, of Baltimore, taken from his lips on Sunday the 7th day of March, 1813.

He sailed from Lisbon on the 27th of December, as passenger in the William Wilson. The vessel was captured and scuttled by the French frigate Le Gloire, on the first of January, and the crew after four days detention put on board a barge bound to Lisbon, in which he arrived on the American Coast and was taken on the — day of — by Admiral Warren and conducted to Bermuda, where he was transferred to the Marlborough, and from her to the Dragon, in which vessel he arrived at the Capes of Virginia on the day before yesterday.

There are now four Seventy-fours and four frigates in Lynhaven. No troops on board, but each ship has a number of seamen trained to arms. On board the line of battle-ships there are from 175 to 250 men thus trained. On board the frigates he supposes half that number. This training has been daily since the lapse of three or four days after they left Bermuda, on board the Dragon, and as he believes the other ships. The Victorias (one of this squadron), arrived lately at Bermuda from England, and was loaded with congreve rockets which were distributed through the fleet on the day before yesterday. On the night after the arrival at the Capes, the Marines on board the Dragon were ordered to have one blanket out of their hammocks, and to have it and their great coats rolled up to be placed on their backs.

He understood that buoys had been placed on the middle ground and saw several on board the Admiral's Ship.

San Domingo and Ramillers Seventy-fours are both expected daily
ermuda; the line of battle now here are the Dragon, Marlborough,
rs, Victorious. The sailors armed with guns, swords, and pistols.
he ships have been in, the exercises have been conducted with
ctivity, and he thinks an attack on some quarter is immediately
ed. He has no knowledge, nor has he heard at what point the
will be made, but he believes it to be Norfolk. He has been re-
y asked by the Lieutenants what force was stationed at Norfolk.
ived at Norfolk this evening, having come up on the cartel.

(Signed,)

MATTHIAS RICH, JR.

R. understood from Capt. Berret that the Dragon would be ordered
nuda or Halifax in a few days, being in want of a Foremast. The
rs and Acasta would sail in a day or two to blockade the Delaware.

(Signed,)

M. RICH, JR.

AS. MAURICE, FOR B. GEN'L TAYLOR, TO THE GOVERNOR.

the information of your Excellency, I enclose the copy of a state-
made by Mr. Rich, ju'r, of Baltimore, a very respectable and in-
t gentleman, who came up in a cartel with twenty-five others taken
squadron, but who were not considered by Admiral Cockburn as
rs of war. In addition to what is there stated, he has seen a recent
per from England, in which a large naval force is spoken of as
destined for the American coast. He also mentioned that the
one Frigate got under weigh the day before yesterday for *Balti-*
ut sprung her bowspit and returned.

March 8,
Norfolk

force of the Enemy in Lynhaven exceeds far that which would be
for the blockade, and the above and other information received
ond so entirely with my own opinion of their intentions, that I
a naval attack on this place. I convened my field officers last
majority of whom were for calling out a larger force, but know-
disposition of the General Government, I have merely ordered
mediate service Capt. Ott's Artillery, attached to the 54th Reg't,
pt. Emmerson's, attached to the 7th regiment, and the Norfolk
f Cavalry. The two Artillery Companies are wanted for the field,
been compelled to throw the other three companies in service here
e forts for want of regular troops of that description, and the lat-
anted to watch the movements of the enemy at every point, and
with rapidity information. I have moreover directed the Com-
nts of the 7th, 20th, and 95th Regiments, to hold their respective
nts in readiness to march at a moment's warning, the enemy being
force in the State of Virginia.

1813.
March 8,
Norfolk

The troops are now busily engaged in strengthening the present forts and in entrenching the approaches to the town. Should the expected attack take place. I cannot say what will be the result, but I venture to promise that the means within my power shall be exerted to the utmost and that I shall not forget what is due to the honor of my country.

A further supply of Ammunition is much wanted. There is also a deficiency in Tents and Canteens. No pistols for Saunder's Cavalry. No grape shot.

I am, &c.

WILLIAM ARMISTEAD TO CHAS. K. MALLORY.

March 8,
Williams-
burg

Informing of the death of Judge William Nelson. Suggesting the appointment by the Executive of Judge Semple of the 2nd Circuit, to fill the vacancy in the 1st occasioned by the death of Judge Nelson, for the greater health and convenience of Judge Semple.

WM. S. QUESENBERRY TO THE GOVERNOR.

March 8,
King George

Soliciting appointment as Surgeon in the new Regiment, to be raised under the Act of Feb'y 15th, for the defence of the State.

JAMES MAURICE FOR B. GEN'L TAYLOR TO THE GOVERNOR.

March 9,
Norfolk

I received information by express an hour ago that the enemy was in motion with their boats filled with men. The troops are all under arms. I have been with the troops in Norfolk, and have the happiness to tell you that they are full of animation and courage.

I have this moment received an express announcing that sixteen Boats, with about fifty men each, are within a few miles of Old Point Light House, standing towards that shore. Two Boats and a Tender were yesterday employed in sounding the channel to Old Point. I do not believe that they will make an attempt on Hampton, though yesterday admonished Major Corbin of their preparations and of the propriety of being vigilant. Their Fleet will probably be in Hampton Roads the first fair wind, and I expect an attack soon after.

I have deemed it advisable to call into service two Uniform Companies of the 54th Regiment.

I am, &c.

ROBT. NELSON TO THE GOVERNOR.

The Capitol in the City of Williamsburg in which the Court of Chancery for this district is directed by Law to be holden, is so much out of order as to make it not only very disagreeable to hold the Court in it, but really hazardous to the health of the Court and Bar.

1813.
March 10,
York

It might be repaired at an inconsiderable expense, as the repairs are principally wanting to the windows and doors; the roof and other parts of the house being in tolerably good order. I believe it has been usual for the Courts to direct repairs to be made to the houses in which they sit, and have the accounts certified to the Auditor, but as the repairs in this case may require more of the public money than I am willing to appropriate on my own responsibility, I have thought it most advisable to consult the Executive on this subject. If it would be more satisfactory to them before they act on this subject to have an estimate of the expense, which will be incurred in repairs, I would get a workman to make an estimate and forward it to Richmond.

As early an attention to this communication as can conveniently be bestowed on it is very desirable.

I am, &c.

ROB'T B. TAYLOR (B. G.) TO THE GOVERNOR.

I communicated to you yesterday the movements of the Enemy's boat. They came within a few miles of the Light House on Point Comfort, where four of them, after an action of a few minutes, boarded and took an armed schooner; they also seized one or two small vessels and returned to the squadron. In the afternoon a Seventy-Four moved up a few miles towards Hampton Roads and anchored. A frigate got under weigh this morning and anchored two miles above her, and my advanced post this moment announces that two more 74rs are standing up. They have not many boats out this morning. It is well ascertained that they have buoyed the channel up to Old Point.

March 10,
Norfolk

The wind is fair for them, and I expect before night their squadron, or a part of it, will be in Hampton Roads. To-night or to-morrow we shall probably be engaged.

I am, &c.

CHAS. K. MALLORY TO THE GOVERNOR.

1813.
March 10,
Elizabeth
City

Since my last of the 8th Inst., which I presume you have received, the British Squadron has received considerable accession of strength. Their whole force now in the Bay, as I understand from the most respectable authority, consists of Five 74rs and Ten Frigates, besides smaller vessels. Some prisoners who have arrived at Norfolk in a cartel say that Three additional 74rs are daily expected.

On monday evening, shortly after my return from the Bay Shore, several Barges pursued a small schooner, which ran on shore near Buck Roe, where I had been staying. Finding her of but little value, they abandoned her. The next day they captured not far from Old Point Comfort Light House a schooner from Baltimore loaded with lard, Hams, &c.

A part of the force stationed at Hampton was despatched to the shore on monday as soon as information was received of the approach of the British boats, but returned to the garrison on learning that the boats were making for the ships.

I am, &c.

ROBT. B. TAYLOR (B. G.) TO THE GOVERNOR.

March 11,
Norfolk

The wind is adverse to the approach of the Enemy to-day. A Frigate came into the Roads yesterday and returned a little behind Old Point. His boats were in Hampton Roads last night. I conversed with a Portuguese Captain last night who left the Admiral's ship on the afternoon before. He states that the Admiral shewed him a plan of the Town of Norfolk, and a chart of the rivers and Bay, and made enquiries of the Roads from the Pleasure House on Lynhaven and the Cape to Norfolk. The Captain was also, as he says, applied to to conduct the Ships up to Hampton. He states that an immediate attack is to be made on this Town, and represents that there are 500 or 600 Troops as he judged, on board the Admiral's Ship. I know that he is mistaken as to the number, but they will bring a considerable force of trained seamen in aid of their marines. I can not believe they will land at the Pleasure House or Cape. The Troops still continue in good spirits, and our Slender means shall not be left unemployed.

I am preparing to send Hulks to bar the passage if needful. The Gun Boats are most wretchedly manned. (I am told some of the Boats with 7 or 8 men only), and should they fall into the Enemy's hands, as they must if boarded in the night, they will be turned against us.

I am, &c.

BROWN, PAGE & BURR TO THE GOVERNOR.

In reply to your verbal inquiry, "what quantity of Gun Powder we supply from our mills," we beg leave to state that we have now on hand about three hundred pounds cannon and two hundred pounds musket powder. That in the present unfinished State of our works we are competent to the manufacture of only about one hundred pounds a day, which quantity, however, we shall increase as we progress in the erection of the building and completion of machinery, and overcome the peculiar inconveniences and difficulties that attend the establishment of our works. The quantity of powder now made by us is only half of what our contract with the General Government would require for three months to come, and one-fourth of what the mills when finished are calculated to make.

1813.
March 13

While on this subject we would take leave to suggest to your Excellency the expediency in the present juncture of exempting from Militia duty the Manager and workmen employed at our Powder Works. We presume their Services in the manufacture of an article so needful to the public service, and of which we believe the supply is very inadequate to a serious emergency, must be more important to the public than any duty they could render in the field, and any cause which should call them on to perform it would operate equally to keep them at their present employment. Should our Manager be called out, the works must be instantly closed, and the great difficulty of obtaining workmen would make their loss proportionately felt.

Col. Campbell has engaged five hundred pounds musket powder, which we shall furnish with all the speed in our power.

We are, &c.

ROBT B. TAYLOR (B. G.) TO THE GOVERNOR.

The Enemy's force at present consists of three 74s, and one Frigate, lying above Old Point comfort, and 3 ships, 4 Brigs, and three small boats in Lynhaven. I was yesterday informed by an intelligent and respectable gentleman of Princess Anne (Mr. Woodhouse), that five of the vessels which had been in Lynhaven were Bomb Catches, and he thinks that some of the ships which have departed have gone up the river or the rivers, but my outposts do not report these facts.

March 13,
Norfolk

Last night about 9 o'clock two boats appeared near Sewell's Point and landed and explored the shore. They were observed by my outpost, and about a quarter of an hour after their retirement, seventeen boats manned, approached within two hundred yards of the shore, coasted

1813.
March 13,
Norfolk

it for a mile, and manifested an intention to land, but the wind blowing very fresh and signals being made from the ships they returned.

My outpost ascribes their return to the wind, but I am satisfied will not land at so great a distance from the point of attack, especially at a time when the naval force cannot co-operate. This and some observation made by the Admiral, as I have no doubt with an expectation, if not an arrangement, that they would come to my ears, satisfies me it is a feint to draw my attention from the real point of attack, and to lead me to push my troops to a distance from Norfolk. I am concentrating my force, though the necessity of guarding two points on opposite sides of the river, and with a force inferior to the enemy's, render it difficult means of transportation are directed to be provided on both sides of the river, and my outposts are vigilantly guarded to notify me of his movements on land. His boats are cavalry to him 'till he lands and give him great advantages in selecting his point of attack. I think he will land within a few miles of Fort Norfolk. I am using every effort to strengthen my position, but I ought not to conceal from you that without Engineers without regularity and order in the details of duty, and without an adequate supply of ammunition for Artillery, my arrangements will not be in such a state as I would desire. I have sent several of my officers to explore and to know the country, and I meditate an ambuscade with Taylor's and Marshall's rifle companies to-night, $\frac{1}{4}$ past twelve.

An express has this moment arrived which states that two of the Enemy's Ships (supposed Frigates) can be distinctly seen from the beach at Lambert's Point, with their sails settled on the Cape and their tenders having reconnoitred as far as the mouth of Tanner's Creek, it is supposed they wait only for the turn of the tide to come up. The wind is fair.

I have been compelled in this emergency to make impressments. I have arrested one man who I shall try by Court Martial as a spy. The others brought before me and committed with him I have handed over to the civil authority, being citizens, and they have been committed and will be examined as I am told for treason. Two others are detained on suspicion. These unpleasant measures forced on me by the crisis which allows no delay, will I hope find with my country a justification in its motives. Our vessels for blocking up the Harbor are not yet complete though everything has been done to forward them.

I am, &c.

MANN PAGE (MAJOR) TO THE GOVERNOR.

March 14,
Gloucester

The 2nd Battalion of the 21st Regt. under my command, has been ordered into service by the Col. Commandant of the Regiment. I have been with my Battalion during the last week at the mouth of the Severn.

whence we had a full view of the British Ships, and tenders off New Point Comfort, there being the best harbour for Privateers and Ships that draw no more than $3\frac{1}{2}$ fathoms water. Just above this place there were a great number of them above me until Thursday evening, when they moved into East River (just over the Bay), supposing they might receive some aid from the field pieces in Mathews, as we had none in this County. Among the vessels that run into these waters are many of a very suspicious character. That some communicate with and furnish the British fleet with provisions and intelligence is beyond a doubt. I have one of this description in custody now, and wish to be informed what I am to do with him in case it shall appear after proper examination that he had been concerned in aiding the enemy. Vessels of this description can pass and repass me at pleasure, especially those which are armed. This evening three vessels (British), were seen standing into the York channel and several of their smaller vessels have looked into East River after the vessels moved there. On Friday there was a large ship within the Point, said to be out-ward bound. She disappeared before the next day, and it was said a Brig had run in during the night, but of this I can say nothing, as the weather has been very rainy and hazy. We have no commissary in this County, and I have now a second time been obliged to furnish my Battalion with Provisions, &c. I should be glad to know how I am to proceed in such emergencies. Our Colonel is incapable from ill health of attending to the Command of the Regiment, and the eldest Major has not considered himself as Commandant.

1813.
March 14,
Gloucester

I am, &c.

JAMES BELSCHER TO THE GOVERNOR.

Representing the exposed situation of his part of the County, and asking for the return from Norfolk of the company of Artillery raised there for their better protection.

March 14,
Gloucester

JOHN MINOR TO DR. JOHN BROKENBROUGH.

I have been thinking with much anxiety of the exposed situation of this place, owing to its proximity to navigation and the temptations to a visit from the Enemy from the large sums of money deposited here in the Banks.

March 17,
Fredericks-
burg

I am confident that an enterprising officer at the head of 200 men might come to this place, rob the Banks, burn the Town, and return to their ships in the course of one night, and this probably without the loss of ten men. Nothing, in my opinion, but their ignorance of our

1813.
March 17,
Fredericks-
burg

weakness prevents their making the attempt. A ship of the line can come up the Potomack within twelve miles of Fredericksburg and small vessels within eight (Potomack Creek). They have then only to march eight miles; and what is our situation?

Eighty of our finest young men gone to Norfolk and carried all our muskets except about 40 or 50 of the worst, and to all these I cannot hear on enquiry of a single pair bullet moulds or a pound of powder or Lead belonging.

I have borrowed a musket, but have no Bayonet of bullet moulds, but I have written to my friend, Julius Dandridge, to procure and send me one of each. We had established two Companies here for home defence, but the Executive did not commission the officers they had chosen to command them; the companies were, of course, dissolved.

I would try the effect of a voluntary association without commissions, loose as this would be, but we have no arms, and if the Enemy came we must run. But if the Executive would send us a supply of arms, I think we can defend the Town, the Banks, and our wives and children.

It seems to me that there is another thing that ought to be done, which is the establishment of two Patrols of Cavalry from six to twelve men each. The one to Patroll from the mouth of Potomack Creek to Acquia. The other from the mouth of Potomack Creek to Boyd's Hole. These would give notice of the approach of an enemy, and give us time to prepare to receive them.

I wish you would mention this subject to the Executive, and see if something cannot be done for us. As it is we are the most exposed part of the State.

I am, &c.

ROB'T B. TAYLOR (B. G.) TO THE GOVERNOR.

March 18,
Norfolk

The letter which accompanies this, was intended to be sent by the mail of yesterday, but its contents were of a nature not to be exposed to the eyes of the Enemy, and I did not choose to hazard it across the River.

I received at 9 o'clock last night a letter from a respectable gentleman in Nansemond, stating that it was certainly ascertained that a number of "the Enemy had landed at Barrot's Point (on the north side of Nansemond River), and were then on their march through Chuckituck, as he supposed, on their way to Suffolk." The writer and bearer of the note could neither state the number of men or boats, and on enquiry I found that the writer had received his information at second hand. I had no means to aid them if the information had been more direct. I have heard nothing more of it. If, in fact, a party has landed, it is probably

y a pillaging one, or, if in greater force, is designed to withdraw my
tion and force from hence. To guard against the worst, patrols were
ered to be pushed up the Suffolk road to learn their movements if
should recross the river, and attempt us in reverse.

1813.
March 18,
Norfolk

yesterday encamped the greater part of the troops which I have
tted to this side the river to cover the rear of Fort Norfolk. Henly's,
lor's, and Marshall's rifle corps are posted in a wood at the intersec-
of the Quarantine and Lambert Point Roads and about $\frac{3}{4}$ of a mile
our intrenchment on Colly's road. A detachment of 100 men from
ke and 100 from Sharp's Regiment are stationed at the Barracks near
t Norfolk with orders to march in on the first alarm. There are no
racks for them in the Fort, and I can spare no greater force of Mus-
try to defend it. The residue of Clark's regiment and 100 of Sharp's
posted at the intrenchment. I am building a bridge which will be
pleted to-day to throw in supplies just on the rear of the right flank
bat intrenchment from Armistead's, which is about midway between
intrenchment on Colly's road and the works at the intersection of
bert's Point and Princess Anne road. I have ordered Boykin's
iment to encamp to-day in the rear of Fort Nelson. Our Gunboat
e is reduced to ten, the rest have been laid up for want of hands.
se ten are not fully manned Commodore Caspin tells me. The
my either estimating our capacity to resist more highly than I do, or
ting reinforcements has been more tardy in his operations than I ex-
ted him to be.

have no communication from the General Government, but I saw a
ate letter yesterday from the Secretary of State, dated the 13th March,
ich shows that the Government is apprised of the intention to attack
folk, and though they know that we are to be "the first on whom the
olating experiment is to be made," they neither write to me or inti-
te any intention to aid us.

I am, &c.

P. S.—I have reason to believe that the landing at Nansemond River
s only a boat's crew.

R. H. COCKE TO WM. WIRT, ESQR.

I take the liberty of stating to you that the day before yesterday some
ges from an English Frigate that lay in the mouth of James River,
e on Shore in the Isle of Wight, near the seat of the late Col. Parker
l returned without doing any damage. Again yesterday a large
ooner, and mounting heavy Guns, came up about ten o'clock to the
uth of Lawns Creek and took possession of two large vessels that lay
re; an English Barge stood up as high as Hog Island pint. A pilot

March 19,
Surry

1813.
March 19,
Surry

boat came up in the evening, say two o'clock, full of men and Boarded a Brig that lay opposite the pint of Shoal that belonged to Portsmouth, New Hampshire and loaded by James Brown of Richmond. They all went down in the Evening with their prizes. Expect the Brig who yet lay on anchor at the same place, but sent her boat on shore at sun set to inform us they would be again up in a day or two for the purpose of getting water. The Isle of Wight Militia are all in motion, and I expect would give the Enemy a warm reception were they to attempt to land; to-day they will be turning out in Surry, and will do the best we can. If we had some *Artillery*, say four or six pieces of *Long Nines*, we could have peppered that schooner yesterday handsomely.

The vessels in the River should be apprised of this motion of the Enemy, and those that will not should be made to go out of the way.

We want arms and ammunition. We have Bodys that's able and Hearts that's willing to fight the Enemy.

We want not men, nor do we wish to make a Fuss.

I am, &c.

ST. GEO. TUCKER TO THE GOVERNOR.

March 19,
Williams-
burg

I flatter myself I need not offer any apology to you for communicating a copy of a Letter just received from my friend, Mr. Coleman, with whose character you are, I believe, well acquainted. "When I saw you this forenoon, I stated to you what I had been informed by a Mr. Herbert from Hampton, that two of the Enemy's Frigates had passed up to Newport's News, and were at anchor near that place yesterday morning, and their Barges had taken six of our vessels, some of them as high up as the mouth of Warwick River. Since this information of the morning, I have seen Major Griffin, of York, and a Mr. Duncan, who lives near to Carter's Grove (the former seat of Col. Burwell, now of Frederick County, seven miles below Williamsburg,), on James River. The former mentioned that he left York-town about ten o'clock this forenoon, and that a Frigate was then in sight near the Spit of York, where she had come to. Mr. Duncan mentioned that he was at Carter's Grove (on James River) this morning, and he then saw in sight at anchor, just above the point of Shoals, in Warrasqueak bay, three vessels, one of which appeared pretty large. He believes them to be the British. He saw them yesterday when they came up about four o'clock in the evening, at which time they captured, by means of their *boats*, three out of five vessels bound down. One of these five turned back and escaped, and another passed on and also escaped. Several Guns were fired at them."

From this information it seems probable that the Enemy are prepar-

ing to extend their predatory excursions up our rivers. How far it might be practicable to check them by means of vessels armed, manned, and equipped for the purpose at Richmond, is a question which no doubt will present itself to your Excellency's consideration; as also by what means similar depredations may be prevented on York River.

1813.
March 19,
Williams-
burg

I am, &c.

P. S.—Should it appear advisable to establish a communication by Telegraphs, permit me to refer you to a Letter probably in the Council chamber which I wrote to Governor Cabell in the year 1807, explaining the model of a Telegraph with the means of using it, which I sent him at that time.

JOHN CROPPER (LT.—COL. 2ND REG'T) TO THE GOVERNOR.

Col. Addison, of the 27th Reg't; Col. Bagwell, of the 99th, and myself have this day had a meeting and consultation upon the exposed situation of the two counties of Virginia upon this side of the Chesapeake. The Militia of the Eastern Shore are willing to a man as we believe to defend this section of the Eastern Frontier, and to annoy the enemy by every human exertion, but this cannot be done without adequate supplies of the implements of war. About one-half of the 18000 cartridges obtained by me at Richmond in June last, prove to be good for nothing except the bullets; they appear to be those of the revolutionary war; the paper and powder mouldered to the finest dust—without doubt Col. Pryor knew nothing of their condition.

March 20,
Accomack

We require the munitions and camp equipage contained in the enclosed return, and we are in need of 200 barrels of pork, 100 barrels of beef, and 100 barrels of flour.

We are cut off from every sea port in the United States and dependant almost entirely on supplies to be sent to us by the Executive. At this time we are exposed in the extent of 180 miles to the incursions of the Enemy—Accomack and Northampton are intersected by navigable creeks at every five miles on the seaside, and at every five miles on the bay, so that a large barge may land at almost every man's door, if not opposed by the vigilance and valor of the Militia, and it would be mortifying indeed to see those unavailing for want of warlike supplies. We want money to buy fresh provisions, corn meal and such necessaries as can be obtained here for the comfortable accommodation of our Guards, and the militia called out to defend their country, to purchase sixteen horses for the eight pieces of Artillery. The farmers spare their horses at the greatest inconvenience, and trained horses are indispensable to the good of the service.

Your Excellency is the most competent judge, and we submit cheer-

1813.
March 20,
Accomack

fully to your judgment whether it would not be most for the interest of the State to appoint some person near to the centre of this district commissary—supply him from time to time with money to furnish the Regimental Commissaries and paymasters with money—all of whom to be bound by a regular accountability and to give security. Supplies could be procured much more easy and cheap for cash than credit, and impressment is a very unpopular measure. Sooner than resort to this unpleasant measure, the officers of the militia have united and borrowed, on their own credit, money to purchase provisions for feeding the guards, which they hope the State will speedily reimburse.

Two companies have been on duty in Northampton for three or four weeks, and one in Accomack for one week, to which one it will be necessary to add two more in a short time. The whole of the militia are harrassed, and are liable to be called almost every day to repel the enemy, especially the 27th regiment, which has already every man been called out.

On the 9th day of the present month (being Northampton Court day) a British tender and some barges went into Cherryston's harbor, took a cargo of flour out of one schooner and set fire to another; but as soon as the militia collected, the enemy fled, taking with them, however, two milch cows from Mr. Savage. The next day two barges from the ships, laying near Cape Charles, boarded a schooner aground. She belonged to Northampton, and was loaded with brandy and wine. Capt. Simpkins' Infantry of the 27th Reg't collected with uncommon celerity and with a gallantry becoming veteran soldiers; it is said thirty compelled the Enemy, forty in number, to relinquish their prize without destroying or carrying away anything except five turkeys.

On the 14th Inst. a Letter of Marque brig of 250 Tons (the America Capt. Symes belonging to Baltimore) from Havanna, run ashore on Smith's Island, vessel and cargo chiefly lost. In this vessel was a Midshipman and eight seamen belonging to the British, which had been taken out of a schooner recaptured by the Letter of Marque. They were taken possession of by Col. Addison and sent by him with a flag to Lynhaven to be exchanged or receipted for by Admiral Cockburn, and the Col. wishes the opinion of the Executive to the propriety of his conduct. All the Commandants wish for general instructions from your Excellency for their government, cut off as they are from the chief of their Brigade.

We think that if officers for two of the Companies raised for the protection of the Eastern Frontier were appointed on this shore, they might recruit their ranks of men, and we should be very glad if they could be permitted to remain here.

Several E. Parker requests us to mention in this communication that himself, George D. West, John C. Parramore, and Hill Dorsey, wish to

to recruit a company of Artillery or Riflemen for the particular of the Eastern Shore, as a part of the force directed to be raised at of the Assembly passed at the last session.

1813.
March 20,
Accomack

Peakle, who hath enlisted a volunteer Company of Riflemen, and received commissions for himself and his officers, is the bearer of this dispatch, and goes to Richmond to apply to you for the municipal camp equipage contained in the enclosed return, and also to rifles and accoutrements for the equipment of his own Corps. He is a gentleman of modesty and worth, and will be able to answer inquiries your Excellency may make concerning the Eastern Shore militia.

We are, &c.

ROB'T B. TAYLOR (B. G.) TO THE GOVERNOR.

The imminence of the danger which appeared to threaten Norfolk, and the necessity of devoting every moment of my time to the pressing business growing out of that prospect, will, I hope, be received by you as an apology for omitting to communicate with you on several subjects of inferior magnitude. Things are now in that train which allows me a few hours daily for my pen.

March 21,
Norfolk

A source of real satisfaction to me that you have been pleased to give your approbation of the course I pursued with Col. Freeman on the late business communicated to you on the 4th. It is only from a sentiment that I have deemed myself justified in exercising my authority without scruple, and of interfering materially in the interior arrangements of the Forts. I venture to hope that since that period the measure which the extent of my means authorized, has been carried out with activity and energy.

Mr. Mistead, of the Engineer Corps, arrived yesterday. I carried him to the fort, showed him what I had done, and developed what was still to be done. He has expressed his approbation of my plans. He was informed that he tells me, by the Secretary at War, to report himself to me in person, and to execute under my orders, and with my aid, what his department was deemed needful. Yet I have no communication from the General Government. Independently of the unpleasant situation in having no recognition in orders from the Secretary I am much embarrassed in the course of my operations. For I am not a Federal States military agent and contractor, and not the Quarter Master, but the proper person to furnish supplies and to carry my orders. It is so soon as I am distinctly recognized by the General Government that much confusion inevitably intrudes itself into our measures. My apprehension of informality will not, however, deter me from pro-

1813.
March 21,
Norfolk

viding for the occasion. On the contrary, I am prepared to meet every responsibility but that of negligence and inactivity.

Three Quakers have been sent down in the requisition from Nansemond. They have refused to do duty, to furnish substitutes, or receive rations, and have been put under guard by their commanding officer. I am at a loss to know what to do with them. Quakers are not included in the list of exempts from military duty. I cannot bring myself to punish any man for a scruple of conscience, and yet fear to discharge them lest Quakerism should become the predominant religion in our ranks. Will you direct what is to be done?

The troops are, some of them, in great want of articles of immediate necessity, and are anxious to receive their pay. If the Executive would authorize and provide the means of allowing pay, it would be a great relief to them.

I have reason to think that some of the officers require a similar provision. The pay might be made up to the 4th of March, when Col. Freeman made his requisition.

You will perceive from the return to the Adjutant a great deficiency of officers. It will greatly aid the service to have the deficiency supplied as soon as possible. These are wanting: 1 Major in lieu of Major Parker, who is on furlough and wishes to be discharged; 1 Captain, 4 Lieutenants, 3 Ensigns, and should Major Maurice be removed, his place is to be supplied; and 1 Lieutenant will be wanting to supply the place of Lieutenant Hillyard, who, on his application, will be discharged, as he is prevented by the gravel from doing his duty. Capt. Burwell, now in service, has received a commission as Major, and I should be glad to have him as a Major, as he is an officer of merit and desires it. Ensign James M. Smith, of Dinwiddie, now in service, is recommended by his County Court as a Captain. Ensign Abraham Doughty, of Nansemond, now in service, is recommended by his county court as a Lieutenant, and Edward R. Hunter, a private now in service, is recommended as an Ensign. Col. Boykin, in whose Regiment they are, speaks well of them; and if the Executive should grant the commissions as recommended, it would be very agreeable to Col. Boykin, and I understand to the officers themselves, to be detailed for this army. Other officers should be detailed to supply their place.

The Commandant of the 20th Regiment, mistaking my orders issued some days ago to hold his men in readiness, actually embodied them, and being informed of it I used them to ambuscade the Enemy if he attempted a night march which he had threatened the night before.

On the next morning they marched back to Kempsville, and I informed the Commandant of his misconception of my orders. In the meantime the men had for some days been and still were without food, and I made myself personally responsible to the contractor if the Government did not pay.

By a like misconception the Commandant of the 7th Regiment embodied a part of his Regiment, and being informed of it, I have thought the occasion justified my retaining them, as you have already been apprised. To prevent unnecessary expense I have directed them to be formed into three instead of six companies, and the supernumerary officers to be dismissed, and the whole to be placed under a Major instead of a Colonel.

1813.
March 21,
Norfolk

I am, &c.

JAMES BYRNE TO THE GOVERNOR.

The state of defence which you have deemed necessary for the city of Richmond has excited considerable uneasiness in the inhabitants of this place about their own particular situation and safety. They consider themselves much exposed to the enemy by their proximity to City Point, where a landing may easily be effected, and eleven miles of good Road would lead them to Petersburg, or eight miles water carriage from 6 to 7 feet deep would place them at our wharf.

March 21,
Petersburg

In this Town are two Banks and an immense quantity of Tobacco, flour and other property which might be readily destroyed. We are not provided with munitions of war; we are not provided with moulds for casting bullets to fit the calibre of our Muskets, nor is any provision made as to the supplying materials for casting Bullets. Your attention to us is particularly solicited. The 39th Regiment has been considerably diminished by the absence of nearly 200 men who are now on duty in Norfolk and Canada, the residue are ready to perform home duty if required. A state of discipline is indispensable to prepare us for any emergency at home or attack from abroad. This cannot be accomplished without your orders, as I do not consider myself authorized to direct musters not required by the Militia Law unless you require it.

I have ordered Battalion musters immediately for an examination of the state of our arms, in which directions are given to have the arms as complete as if ordered into Battle. Such as cannot be put into that order I will return to you.

I now write at the particular request of the people of property here, who entertain a hope that you will regard them as equal objects for your protection with those of other seaport Towns. We solicit a supply of powder and Ball for immediate use if necessary, and a few moulds for bullets of the proper size. Any organization of the 39th Reg't which you may direct shall be punctually executed; at present we are in a complete paralyzed condition unless you give us motion. I have every reliance on your attention to us.

I am, &c.

JAMES MONROE TO THE GOVERNOR.

1813.
March 21,
Washington

I had the pleasure to receive yours of the 17th yesterday, and have answered by the return of the mail had I not some officialments which rendered it impossible.

With an invasion at Norfolk, it is painful to say anything to check any measure having for its object the defense of the State. Without having examined the constitutional propriety of the measure in question for which I have not had time, I have supposed the object contemplated by it might be secured by means of, and under the authority of this government. A regular Regiment is ordered to be raised for the defense of Norfolk and the neighboring coast; they are appointed and are engaged in recruiting the men, and it is known that they are not to be removed from the State, it is probable that they will soon be raised.

A large body of Militia are already in service at Norfolk, and are given to the commanding officer to call for as many more as in his judgment the public exigencies may require. Any regular Regiment which may be raised till trained will not be better qualified for service than our Militia. Should the British forces continue to occupy Norfolk, or other parts of the State, I have no doubt that the President will order the regular troops when raised to be increased to the number of the regiment allotted for their defence. You may be satisfied that nothing will be omitted necessary for the protection of the State compatible with its general duties, which the means in the hands of the government will enable it to perform.

No change has taken place in the relations between the U. S. and G. Britain. The mediation of Russia lately offered by the Emperor to both parties and accepted by the President on the part of the U. S. was the incident to which I alluded in my conversation with Mr. Campbell. It is not known whether G. Britain has accepted the mediation. The President acts on notions independent of that consideration. If she accepts with a view to fair and just accommodation, it may lead to peace. If she declines it the responsibility will be on her government. In the meantime, no relaxation should take place in our military operations. They should on the contrary be carried on with greater vigor.

I am, &c.

JAMES SMITH TO THE GOVERNOR.

March 22,
Williamsburg

Representing the destitute condition of the Counties of James City and Warwick

ALEX'R AUSTEN TO THE GOVERNOR.

Informing that the Rifle Company, commanded by Captain Jeremiah Keen, had commenced their march to the place of rendezvous, but as yet without rifles.

1813.
March 22,
Campbell
County

GEO. FRENCH (MAYOR) TO THE GOVERNOR.

At a meeting of the citizens of Fredericksburg on yesterday for the purpose of devising means of defence against the danger with which we are threatened, it was the general wish that I, as Mayor of the Town, should address you, and request such aid as the Executive shall think proper. We consider ourselves as more exposed than almost any other section of the State. The Enemy can come by water within seven miles of the Town. The temptation to come is strong from the quantity of money deposited in the two Banks, beside the general wealth of the Town.

March 22,
Fredericks-
burg

We are endeavoring to make the best preparation we can for defence, but we fear it will be inadequate unless the Executive will lend their aid.

The exempts in the Town have agreed to enroll themselves in a Company of Artillery and one of Cavalry, but we want arms. We have one brass six-pounder, and believe we can borrow two Iron fours, but we want swords, carbines, and ammunition, and swords and pistols for the Cavalry.

It is proposed that the Troop of Cavalry should act as Patroles on the Potomack from the mouth of Potomac to the mouth of Machodack Creeks. But a gentleman from King George County mentioned yesterday that they had a fine troop of Horse in that County under the command of Capt. Stuart, who would, if ordered, cheerfully undertake this duty of Patrol. This would release us, and leave us to act in a more efficient body in case the Patrole should warn us of the approach of an Enemy.

It is earnestly to be wished that the Executive will do promptly what their wisdom shall dictate as proper.

I am, &c.

R. B. TAYLOR (B. G.) TO THE GOVERNOR.

A flag was to-day sent up from the Enemy's Squadron with a letter to me from Rear Admiral Cockburn, covering one from Sir John Borlase Warren, for the Secretary of Russian Legation. The latter gentleman

March 24,
Norfolk

1813.
March 24,
Norfolk

had just departed in a vessel for Baltimore, and met the flag in the river. It was his intention to call on board the Admiral's Ship.

The Enemy's force was increased by the arrival of Admiral Warren, and consisted yesterday of two sail of the line, five Frigates, three Brigs, and a schooner in Lynhaven Bay; three ships of the line, two Frigates, and a schooner in Hampton Roads, and one Frigate standing up the Bay. One of the seventy-Fours got under way and strove to get out to sea.

Two sloops coming down the river were taken this morning and carried into the fleet. A schooner was run on shore near Craney Island and burnt, and a large smoke was discovered after a firing on Nansemond river, and was supposed to be occasioned by the burning of another vessel. One of the Seventy-fours has moved higher up the Roads. A Frigate is stationed in the channel of James and Nansemond Rivers.

My outposts at Willoughby's Point at $\frac{1}{2}$ past ten, report also that "several Barges, at least ten, and five tenders, all full of men, are advancing up the Roads."

We had an alarm of the landing of the Enemy last night at 11 o'clock. The troops remained under arms till after sun rise and displayed the best animation.

The alarm was occasioned by some boats of our Flotilla down the River.

I am, &c.

RO. SAUNDERS TO THE GOVERNOR.

March 25,
Norfolk

I have this moment received your Excellency's letter covering to me a Commission as Judge of the General Court. For this flattering proof of the confidence of the Executive I beg to express my warmest gratitude.

An hour's reflection has determined me not to accept the appointment, and therefore I hasten to return the commission. Having never been in pursuit of office and not desirous to hold any, I cannot reconcile it to myself to stand on moment in the way of some Gentleman better qualified for such a high and responsible station. If I was disposed to accept the appointment which the Council have thought proper to confer on me, my feelings would not permit me to surrender at this time the military trust confided to me.

I am, &c.

CHAS. W. MASON TO THE GOVERNOR.

March 27,
Boston
U. S. Frigate
Constitution

I have this moment received your very flattering Letter of the 9th. together with the resolution.

I can assure you that my feelings on the occasion are highly sen-

able of the honor conferred by that honorable body, and for the good opinion entertained by my Governor, I tender him my most sincere acknowledgements, and do assure him that my exertions ever after shall be to deserve what he has said of me.

1813.
March 27,
Boston,
U. S. Frigate
Constitution

I hope, Sir, as the Constitution is now undergoing a repair, wherein my attention is demanded, and no probable chance of visiting my State, that the Governor will honor me by forwarding my Sword to Boston.

I am, &c.

RO. B. TAYLOR (B. G.) TO THE GOVERNOR.

To-day at three o'clock the line of Battle Ships of the Enemy, which had been in Hampton roads, got under way and stood out for Lynhaven Bay, three frigates having preceeded them. One of the frigates anchored with the fleet below. The haziness of the weather prevents my outposts from knowing if the others and the ships of the line have anchored here also. A Frigate from the fleet in Lynhaven went to sea at one o'clock. Whether this measure be designed as a ruse de guerre to cover some attempt here, or as is more probable, has some connection with the arrival of the fleet off New York, or the mediation of Russia remains to be known hereafter. Orders are already given to increase the vigilance of the outposts in their new direction. The Troops will be disposed to-morrow if needful to meet their change of position. The weather is too bad to allow it now.

March 28,
Norfolk

I find that I omitted to inform you that on the prospect of an attack, a number of masters of ships and other private citizens had formed a volunteer company and tendered their service, which has been accepted of me, and they were posted at our new works. They are still there and draw rations.

MARCH 29TH.

Yesterday the whole of the enemy's fleet left their anchorage in Hampton Roads, taking several merchant vessels with them, and are at anchor to-day in Lynhaven Bay, except one Seventy-Four, said to be the ragon, which lies about five miles below Old Point Comfort. This has opened the communication between Hampton and this place, by which two pilot boats have arrived this morning, and report that nine men had landed in Hampton in two boats which made their escape from the ships. They were under apprehensions from the Militia, from a belief circulated on board the ships, of being treated as spies if they landed, but were made satisfied of a contrary disposition by the people at Hampton, who permitted them to proceed towards York, and gave them assistance.

1813.
March 28,
Norfolk

It was reported there that thirty others had landed elsewhere in same manner. This may account for their change of position. I cannot learn that they have left any boats in the river. My report from Lynhaven states that a frigate came in this morning and anchored; probably the same that was stated to have gone to sea yesterday. The Ships at anchor this morning in Lynhaven were three of the line, Six frigates, an armed brig, and eight small vessels, apparently prizes. No movement has taken place among them to-day.

I am, &c.

JNO. CROPPER TO THE GOVERNOR.

March 29,
Accomack

The Legislature of Virginia at their last session thought proper to place over my head a gentleman not long since promoted to the rank of Major and recently to that of Colonel—a man without military experience I am informed.

I entered the Army of the Revolution at the age of nineteen, served during the war, and have held the highest military command on the Eastern Shore ever since.

My capacity and conduct were always approved of as I believe. Under these circumstances it becomes my duty to resign the command of the second Regiment; the right to do so I trust will not be doubted.

The ninth Brigade in particular as well as all the Militia you command, will carry with them my best wishes for their honor and prosperity.

Your Excellency will no longer consider me bearing a militia commission, but I beg you to accept my sincere respect for the attention you have paid to that part of the State in which I reside, and to myself as an officer.

I am, &c.

JOHN MYERS (AID DE CAMP) TO THE GOVERNOR.

March 30,
Norfolk

General Taylor is visiting the works and directs me to say that the Enemy's vessels remain in the same position as before advised—everything perfectly quiet. The navigation appears quite open with the river since their change of position, which I can only account for by the reports of their loss by desertion.

Capt. Stewart of the Constellation yesterday employed his look-out boat in destroying their Buoys, and informs me that it was effected to the number of five, and within three miles of their ships. He is also refitting his ship, I presume, with a view of taking his former position at Craney Island.

Your favor of the 27th Inst. is received to-day. The vessel it mentions had been closely watched by the out-post for some time. The only persons from her that came on shore were taken into custody under suspicion of holding improper intercourse with the enemy, underwent a civil examination for trial by military court which is now sitting. The dispatch from Lynhaven this moment states that a ship of the line Lagate with the vessels supposed to be prizes, have gone to sea. A vessel was burnt this morning by one of the tenders towards the eastern shore. Her charter not discerned.

1813.
March 30,
Norfolk

I am, &c.

FRANCIS PRESTON TO THE GOVERNOR.

Recommending the purchase of munitions of war such as Powder, Lead, salt petre, and Linen for Tents, &c., in that part of the State where they can be procured in abundance and cheap.

March 30,
Abingdon

NATHANIEL BURWELL TO THE GOVERNOR.

I have this moment arrived here in time to send by the waggon all the arms unfit for use, in number 45.

March 30,
Gloucester
C. H.

We are threatened with an insurrection of our Negroes. Ten have been apprehended and are in jail for examination. You will pardon my requesting an answer to my letter by last post. I know not in what manner to proceed should I be obliged to call out the Regiment, which may be necessary to be done when perhaps we are not prepared.

I am, &c.

Pursuant to an act of the General Assembly of Virginia, entitled "an act Providing for the defence of the State against invasion or Insurrection," passed the 15th of February, 1813, the Executive proceeded to appoint the officers to the Regiment therein authorized, whose letters of acceptance are filed and are as follows:

March

James Maurice,	Colonel Commandant,	Norfolk.
Charles Fenton Mercer,	Lieut. Colonel,	Loudoun.
William R. Fleming,	Major,	Richmond City.
Wm. S. Clarke,	Captain of Infantry,	Pittsylvania.
James A. Campbell,	Do. Do.	Wythe.
John H. Steger,	Do. Do.	Powhatan.

1813.
March

Miles King, Ju'r,	Do.	Do.	Norfolk.
Wm. C. Spiller,	Do.	Do.	King William.
Beveley C. Stannard,	Do.	Do.	Chesterfield.
Richard H. Field,	Do.	Do.	Madison.
Philip Sale,	Do.	Do.	Mathews.
Daniel Beasley,	First Lieut. Infantry,		Nottoway.
Carter M. Braxton,	Do.	Do.	King William.
John S. Stubbs,	Do.	Do.	Henrico.
James E. Heath,	Do.	Do.	Prince William.
Isaac Quarles,	Do.	Do.	King William.
Robert Lyman,	Do.	Do.	Richmond City.
David Saunders,	Do.	Do.	Lynchburg.
Wm. W. Morgan,	Do.	Do.	"
Thomas B. Green,	Second Lieut. Infantry,		Franklin.
John H. Royster,	Do.	Do.	Richmond, City.
Colin Johnson,	Do.	Do.	Goochland.
William Byrd,	Do.	Do.	Williamsburg.
George F. Dudley,	Do.	Do.	
Benj'n Wingfield,	Do.	Do.	Hanover.
Robert Rochell,	Do.	Do.	Sussex.
Van Rutherford,	Captain Rifle Company,		Jefferson.
Henry E. Smith,	First Lieut.	Do.	Giles.
John Salvage,	Second Lieut.	Do.	Rockingham.
James Fuller,	Ensign	Do.	Staunton.
Martin Fishback,	Ensign Infantry,		Culpeper.
Joseph Smith,	Do.	Do.	Chesterfield.
P. W. Lewis,	Do.	Do.	Gloucester.
Wm. F. Taylor,	Do.	Do.	Orange.
Garrett Meriwether.	Do.	Do.	Fredericksburg.
Wm. W. Morgan,	Do.	Do.	Lynchburg.
Edw'd B. S. Cary,	Do.	Do.	Gloucester.
Gill Armistead,	Do.	Do.	Hampton.
Wm. H. Fitzhugh.	Captain of Cavalry,		Stafford.
Bennet A. Crawford,	Second Lieut.	Do.	Amherst.
Brazare W. Pryor,	Captain of Artillery,		Hampton.
George Ott,	Do.	Do.	Norfolk.
John Nelson,	First Lieut.	Do.	Mecklenburg.
Wm. Peebles,	Do.	Do.	Prince George.
Wm. Murray,	Second Do.	Do.	Amelia.
Sam'l Grantland,	Do.	Do.	Hanover.
Britt Randolph,	Ensign,	Do.	Powhatan.

WM. DANIEL TO THE GOVERNOR.

I have received a verbal communication from the hon'ble Robert Quarles, that I had been appointed by the Council of State to be Judge of the General Court for the Williamsburg Circuit—and he requested that I would make known my determination with respect thereto to your Excellency.

1813.
April 3,
Richmond

I am highly sensible of the honor of this notice by the Executive, but it places me in a condition not without embarrassment, arising chiefly from my present relation to the service of the Commonwealth, which I leave with much hesitation. But every citizen should be ready to perform according to his best skill and judgment, any service which the constituted authority of his country may rightfully call upon him for.

I have been lately called upon by your Excellency to take command of a detachment of Militia designed for the defence of the State. I am now called on to undertake the performance of duties of a different character—it is the same authority that calls upon me in both cases. I can not therefore but feel myself bound to consider that *that* authority is the best judge of the disposition which can and ought to be made *at the present*, of my services, which it is pleased to believe me capable of rendering to the Commonwealth. Wherefore, I have determined that as I was ready to attempt the discharge of Military duty, I will hold myself ready also to attempt the discharge of the new duties to which I am called with all practicable despatch when and where they be prescribed to me.

I am, &c.

ELISHA BOYD TO THE GOVERNOR.

The requisition of Militia from the County of Berkeley passed through this place this morning, and we could not fail to be very forcibly struck with the situation of a gentleman from that county, who is among the Volunteer Company of Artillery.

April 4,
Winchester

The gentleman we allude to is young Mr. Edward Colston, the son of Rawleigh Colston, Esq'r, of Berkeley, and a member of the Legislature of this State. He had enrolled himself as soon as he attained the age of manhood in the Volunteer corps, and but for his necessary absence in Kentucky would certainly have been one of its officers when the last selections were made.

The late requisition found him in the ranks, but with an alacrity highly honorable to him he has taken up his knapsack and is now marching on his route to the general rendezvous. We trust we shall not be considered as intrusive or intermeddling in expressing our anxiety that

1813.
April 4,
Winchester

the Executive may be able to confer on him some respectable appointment which will remove him from his present unpleasant situation. We have hoped that the Office of paymaster to the Regiment which Col. Beatty informs me is vacant may be conferred on him. Should his being a private be an obstacle, it is believed that that will be promptly removed, as the Court of his County will probably at the next term nominate him to the Executive for some post now vacant. The security which such an appointment would probably require would doubtless be readily furnished by Gen. Marshall and his other relatives in Richmond, or we should feel happy in tendering ourselves as such.

The cheerfulness with which Mr. Colston has undertaken to fulfil a duty both laborious and unpleasant, as it severs him from the society of those of his acquaintance who are in commission, induces us to take the liberty of making this communication.

I am, &c.

NOTE.—By reference to the Executive Journal of the date of 12th April, 1813, it will be seen that a Commission as Lieutenant in the Company of Artillery was issued to Edward Colston.—ED.

RICH'D E. PARKER TO THE GOVERNOR.

April 5

I think it my duty to give you the earliest information by mail of the death of my venerable Grand-Father, Judge Parker, that his successor may, if it be thought necessary, still perform some part of the Circuit which commences to-day, and the public Interests receive as little Injury as possible. This was one of the last requests of one of the oldest and faithfulest servants that Virginia has ever had.

I am, &c.

SPENCER GEORGE TO COL. V. BRANHAM.

April 5,
Lancaster
County

These are to request you to send as many of your Regiment to assist the 92nd Regiment in the present emergency. The Enemy is here upon us, landing and doing mischief every day. Our Militia had an engagement at Chewning's Point yesterday, and the balance that are stationed at Martin Shearman's, where I had a little scuffle this morning without any injury. You will direct your men to Chewning's Point, to join Major Chewning's Battalion. With haste,

I am, &c.

JOHN DANGERFIELD TO THE GOVERNOR.

On Sunday last, the 4th Instant, I received information from a source, which could not be questioned, that several severe engagements had taken place on the Rappahannock, in sight of Urbanna. That six vessels had been taken, and that the British had landed in considerable numbers near that place, depredating the property of individuals and exhibiting evidences of an intention to make advances into the country in hostile array. On the same night I received a letter from the Commandant of the 109th Regiment by express, worded in the following manner:

1813.
April 6,
Essex Co.

REGIMENTAL ORDER, URBANNA, *April 4th, 1813.*

The County of Middlesex being invaded by our enemy, I hereby call upon you for such aid as you can furnish.

ELLIOTT MUSE,
Lt.-Col. Com. 9, 109th Reg't.

Col. Jas. Dangerfield, Essex.

Under circumstances thus alarming, and requiring some immediate action, I thought it prudent and necessary immediately to issue orders assembling the Militia under my command at this place, and have ordered on a Capt., Lieut., Ensign and 50 privates to the aid of that party, and immediately dispatched an Express to that place, who returned last night with another communication from Col. Muse stating that the Enemy had landed in considerable numbers, and were committing many outrages—and asking in the most importunate terms additional aid, which request has been complied with by ordering out the Light Infantry attached to this Regiment.

As the Law authorizing the calling out the Militia by Col. Comm'ts does not make an actual invasion of the County a prerequisite, I deem it necessary to request that you would justify the measure I have adopted by authorizing a continuance in service of so many officers and men as the state of things may continue to render necessary.

In addition to the foregoing circumstances I have received various reports from the Northern Neck, stating that the men from Twentyfortyges had (after a warmly contested action), effected a landing at Carter's Neck in Lancaster County, and were driving the Militia of that County before them; from the same sources I have learned that the Enemy had made many enquiries concerning the situation of this place, its wealth and ability to defend itself, all of which circumstances combined leave no doubt but an attack is meditated, which makes it necessary that the Militia should be held in preparation for defence. In this perilous situation I beg leave to suggest that the Arms of the County are many of them entirely unfit for service, and particularly those belonging to the

1813.
April 6,
Essex Co.

Cavalry—not one tenth part of which are in a situation to be serviceable. Could I be indulged with the use of as many as the Troop require (say fifty), it would afford great relief to have them immediately forwarded together with cartridges for the same.

I am, &c.

THOS. EWELL TO WM. ROBERTSON.

April 6,
Washington
City

Informing of the forwarding of 4 wagon loads of Powder, 12,000 lbs., by advice of the Council of State, with the promise of as much more if needed.

RICHARD E. PARKER TO THE GOVERNOR.

April 7,
Westmore-
land

In consequence of receiving the enclosed Letter and hearing by Expresses dispatched for the purpose of gaining information, that the Enemy's vessels were some of them at the mouth of the Potomack, I have thought it necessary to call out two companies from this Regiment into actual service.

I have stationed them below the waters of Nominy in such positions as to repel invasion (of which I think there is a probability) of our own Country, or to aid the adjacent Counties when our assistance is required.

No field officer has been called upon because I shall myself, until I hear from you, superintend their discipline and select the proper positions. I beg leave at the same time to suggest that if the war continues, some force will at all times be necessary in the Northern Neck, and a greater proportion of ammunition than we have received.

Powder and Lead for the Rifle Company and flints for the whole that are armed I have been obliged to procure.

These companies consisting of about 98 men in all, I shall discharge as soon as the alarm subsides, or sooner if your orders make it necessary. The Express sent to Lancaster informs me that the day before yesterday a very heavy firing for about five hours was heard in Middlesex, of the cause of which I have no doubt you will be informed before this reaches you. I enclose some recommendations of officers whose Commissions I beg you will forward by the bearer.

If any officers from this part of the State are ordered into service, I flatter myself the Executive will not forget that I have at all times been ready and anxious to make one.

I am, &c.

JOHN STROTHER TO THE GOVERNOR.

Agreeable to your late orders, I had proceeded three days' march on my way to Richmond with the Artillery company from this place, who could reflect honour on any commander, when I was recalled by an appointment in the army of the U. S. I enclose my commission as 2nd lieutenant in said Company, and hereby tender my resignation, but I am fully and amply hope my resigning under such circumstances will not debar me from entering in the service of the State at a future day.

1813.
April 8,
Martinsburg

I am, &c.

SPENCER GEORGE TO THE GOVERNOR.

On Saturday last, 3rd Inst., five sail of the British came into the river Appahannock—two frigates, two brigs, and a Privateer Schooner—and captured six vessels, four of which were armed. The alarm spread with haste; the militia collected, and Sunday morning the number was two hundred in two detachments, one part under my command, about nine or ten miles above the mouth of the River, and the other part under the command of Major John Chowning, about five miles above me, where the Enemy lay rather between us. On Sunday morning Major John Chowning's detachment had a small engagement with the three barges, and beat them off without any damage on his side. The next morning the same number of barges landed near where we lay in a thick fog. We engaged them. They immediately retreated. We received no injury on our side. On Monday, 5th, we received sixty-four militia from the 37th Reg't. On Tuesday, 6th, the Squadron made sail and fired a number of heavy cannon on my detachment as they passed, without success. Wednesday part of them — on up the Bay. I thought it necessary to discharge the forces from 37th Reg't, as that Regiment, or section of the country, then appeared to be more endangered than 92 Reg't. Twenty-four ships lie in the Bay opposite the mouth of the Rappa's Mill, not far from land. A sudden alarm among us respecting our negroes induced me to dismiss the militia from service in the day time, they being much fatigued, and have nearly one-half on Patrole every night. Three negroes have been committed for conspiracy, and waiting for their trial. This circumstance I have communicated to the Commandants of 41st and 37 Regiments.

April 9,
Lancaster
County

One hundred and twenty-nine of the 41st Reg't arrived (after the departure of the above ships), which I directed to return, waiting every day, when we shall have a call to assist 37th Reg't on the Potomack. This, Sir, is as correct a statement of the whole matter as my memory will permit me to make. I shall gladly receive any instructions which you may give.

I am, &c.

JAMES SINGLETON TO THE GOVERNOR.

1813.
April 10,
Frederick
County

My friend, Dr. Rob't O. Grayson, whom I beg leave to introduce to your Excellency, sets out for Richmond to-morrow, and I avail myself of the opportunity to inform you of the awkward situation into which the militia of this county has been thrown by events beyond the control of any of us. Pursuant to your orders for drawing out a detachment from the 16th Brigade, Capts. Brent and McCormick were appointed to command Companies; since which the Executive has caused a new Regiment to be formed from parts of the 31st and 51st, in consequence of which the said Captains were appointed Majors, and qualified to these last appointments a little before Col. Beatty received orders to march; and as these orders from the Adjutant-General were not communicated to Col. Beatty through me, he thought himself bound to call on the late appointed Majors to command the Companies now in service, and thus for six months two of the Regiments will loose their most efficient Officers; for your Excellency will recollect that to officers of that grade is given the appointment of Patroles, the existence and activity of which is, at this time, much wanting in our county, as from the nature of our population, there are, perhaps, few parts of the State in which a beginning of the modes of mid-night murder may be more justly apprehended.

I am, &c.

RICHARD E. PARKER TO THE GOVERNOR.

April 11,
Westmore-
land C. H.

Since my last letter of the 7th I have been constantly down on or in the Potomac organizing the small detachments I had ordered out, stationing them at three several points, establishing their communications over the small rivers that indent the country, and watching the movements of the Enemy. I find that the heavy firing I mentioned in that Letter was a little way above the mouth of the Potomac on the Bay where the English took twenty or thirty vessels as you will see from the enclosed. Capt. Travis is the commander of a Revenue Cutter carrying four six and two Brass four pounders, which is now moved up the Yocomico River, co-operating with the Militia I have stationed there. At the same place there are several other vessels, and three were this evening, as I was informed by Express, chased into that River by the British who fired several Guns at them. These circumstances, together with the information that a large force is at the mouth of the river, that they have the scurvy and are greatly in want of fresh provisions, and that they mean to rendezvous in the St. Mary's which is almost opposite to the mouth of the Yocomico induce me to believe we shall have frequent

unpleasant visits, and that more important places are threatened. information that they are to be in the St. Mary's is derived from a etable Sweedish Captain, and the other from the Surgeon of the steer Dolphin taken by the British in the Rappahannock who parolled and Capt. Stafford the 7th Inst.

1813.
April 11,
Westmore-
land C. H.

shall omit no exertion to give any nearly equal force a warm recep- but from the little co-operation to be expected from some Counties, the want of skill in some officers, and experience in all, from the ned and unprovided state of a part of the militia, and my having tillery, that reception will perhaps not be such as under other cir- ances I would pledge my life to give.

eed every day's experience and reflection confirms my conviction re ought to have here some more adequate force than *occasional* to defend ourselves and co-operate with others. It would be a er, safer, and more popular plan of defence. The Militia when *well* d are I am satisfied equal to every emergency; but they certainly e *that* training. I have made out and would send you a rough but ite sketch of this country if I had not recollected that Madison's ould give you a general and sufficiently correct idea of it for the it.

mon have been heard here all this day. No ammunition, &c., has received by me since last ———, and as to that I have upon ex- tion found that in a keg containing 1,308 cartridges, 740 of them terly unfit for use, partly from dampness but principally from their wrapped in rotten paper and tied with rotten thread.

I am, &c.

JOHN ARMSTRONG TO THE GOVERNOR.

ave received the letter of the 1st Inst., which your Excellency has me the honor to write to me. There is no objection to the recall of ree or four companies of which you speak if the chasm left by be supplied under the second requisitions. [Presuming that your ature is about to convene, it may be well to obtain their interposition nforming the organization of your Militia Regiments to that of the ents of the United States. In the mean time the mustering officer be instructed to accept three commissioned officers *to each company of undred, rank and file*, conformably to your present system].

April 11,
War Depart-
ment

I am, &c.

ELLISON CURRIE TO THE GOVERNOR.

1813.
April 12,
Verville

I duly appreciate the confidence reposed in me by the Executive in appointing me to fill the vacancy in the Gen'l Court occasioned by the death of the Hon'ble Richard Parker, and take this method of declaring my acceptance of that appointment.

You will be pleased to assure the members of the Council that my best endeavours shall be used to perform faithfully the duties of the office.

For the friendly and flattering manner in which you have made the communication, I offer you my sincere thanks.

I am, &c.

JOHN MYERS (AID-DE-CAMP) TO THE GOVERNOR.

April 13,
Norfolk

The General has directed me to say to you that the contents of your favor of 10th inst. shall be complied with.

On the 11th Inst. a boat entered this river from the Enemy's Squadron during a violent gale with a white flag, her crew being in a perishing condition, consisting of fourteen British and two American seamen, were taken on board the Constitution, and proved, as reported to me by her commander, to be one of four boats that were employed to capture a Baltimore schooner from France, which, however, ran on shore. They were obliged to abandon her, taking out her crew. The gale increasing, the boats could not recover their ships, and this one was forced to make this river. The General made the necessary disposition to capture the remaining three if forced on shore, but through the vigilance of Major Corbin, the officer commanding the post at Hampton, they fell into his hands, having neared that shore. These boats contained Fifty-two British seamen, of which there was a Lieut. and Midshipmen. The Americans were twenty-six in number. The prisoners will be forwarded to Richmond to be put in charge of the Marshall.

I am, &c.

JOHN TAYLOR, JUNR. TO THE GOVERNOR.

Apr 18
U.S. Senate
Chas. C. Smith
1813
Norfolk

I only yesterday received your favor of the 10th Inst. via Boston, enclosing the resolutions of our Houses of the Legislature: and believe me, Sir, my warm feelings to you as an American, the abundant gratitude I owe to my country for her peace, but more particularly to my

ive State, which has so generously proffered me so noble a testimony
er esteem.

I am, &c.

S.—You will please forward the sword to the care of Col. John Tay-
Washington city.

1813.
April 18,
U. S. Frigate
Constella-
tion,
Norfolk

ROB'T B. TAYLOR (B. G.) TO THE GOVERNOR.

the arrival of General Hampton, by superseding my command, seemed
nder it necessary that I should lay before him the several letters
essed to me as commanding officer, and to leave to him their dis-

April 24,
Norfolk

at it will at all times afford me the greatest pleasure to testify my
ct for the Executive of Virginia, and to give all the information in
ower touching the subjects on which they may think proper to ex-
to me their wishes.

pt. Callond's artillery arrived several days ago, and three transports
just arrived in the harbour.

Major-General Hampton, to whom I shewed your letter of the 17th of
l, and my correspon. on the subject of the requisition, will have
ered it in relation to the discharge of the troops. The communica-
of the Governor to Captain Heth has been made, and will be pro-
ve of a happy effect. I have great pleasure in saying that the
; subordination and obedience, which mark the general character of
my, afford me entire satisfaction, and are equally honorable to the
ligence and patriotism of the troops. There have been, and still
some trifling irregularities, but the progress of discipline has sur-
d my expectations, and I do not doubt that the army will evince
dsehood of the charge that militia are incapable of the subordina-
essential to military efforts. Ours is not a system of terror; every
is is taken to cultivate the confidence and affection of the soldiers,
to evince a proper regard to their comfort. It is, however, distinctly
rstood that there exists the power and the determination to enforce
. Hence obedience and attention to duty are becoming matters of
e with the soldiers.

ey are anxious about their pay, and some of them suffer severely
vant of it, but even in their wants are not importunate, and they
ot murmur. I could wish both on the score of policy and necessity
the Executive would authorize an immediate payment from the State
s to the 1st March to be reimbursed hereafter by the general govern-
t.

meditate a plan of uniforming the troops. General Hampton will
ard my application to the Secretary of War to advance the funds to
educted out of their last pay.

1813.
April 24,
Norfolk

About \$10 25 will furnish two suits including shirts to each. I believe that the Major-General cannot at this moment dispense with the services of Col. Armistead. The Col. has promised me a model of a wheel in time to send by this letter; if he furnishes it, it shall be enclosed.

A vacancy has been occasioned in the Norfolk Junior volunteers by the appointment of its captain to a majority in the U. S. Army. It is a noble company. As it is reserved for the bayonet I wish the officers to be full. It has been usual to consult the members of Volunteer Corps in the appointment of their officers. But as this in *actual service* might be productive of the most dangerous intrigues and insubordination and jealousies. I have not thought proper to set such a precedent without learning the wishes of the Executive.

The Lieut. George W. Camp is now the acting adjutant under Colonel Sharp. Edmund Barrett is the Ensign. Both excellent officers. George Kelley, the 1st Sergeant, merits promotion. I enclose a letter of Capt. Green to me. If the arrangement proposed should be approved by the Executive, it will be gratifying to me. Ensign Thornton is a young Officer of promise, and performs temporarily, with considerable credit to himself, the duties of Adjutant of Col. Clarke's Regiment. Green himself is an officer of such distinguished zeal and intelligence, and his Company have set so good an example to the Army, that I feel solicitude to attain what they very much desire.

I am, &c.

JOHN CONNELL TO THE GOVERNOR.

May 5,
Brooke C. H.

You will have information before this reaches you that the Virginia Brigade have returned home without having it in their power to meet the enemies of our Country, and I hope without disgrace to their parent State.

The imprudent advance of General Winchester from the rapids completely defeated the object of the campaign, and left us so far in the rear of time that no other alternative presented itself to the Commander-in-chief but to advance to the rapids and there build a Fort sufficiently strong to protect the public stores; and from thence, if an opportunity offered, to attack the enemy. But the term of service for which the troops from Kentucky and Ohio—being about to expire, they would not agree to volunteer for a longer term, and were discharged, leaving the Pennsylvania and Virginia Brigades, the Petersburg, Pittsburg, and Greensburg Blues, with a few Companies of Regulars, to finish and defend the Fort. An attack from the enemy was expected, but they chose to content themselves with the advantage they had gained. From

best information I could obtain from some of those who were in the
 on, it was to them a dear bought victory, and to us a melancholy re-
 tion that it deprived us of the opportunity of seeing Malden, there
 lie or Conquer. That, I believe, was the determination of the troops,
 they appeared to have the highest confidence in the Commander-in-
 ef, and in my opinion *it was by him* justly merited.

1813.
 May 5,
 Brooke C. H.

ou will, no doubt, also have learned that the greater part of the
 is furnished by the State of Virginia to the Brigade were left at
 aware, upper Sandusky, &c.

his was contrary to my opinion; I urged the propriety of the men's
 rning the arms into the State, observing that a loan was not a gift,
 that the men were bound to carry and return them, if not at a par-
 lar place, at least in the Regiment from whence they were drafted.
 his, however, was contrary to the opinion of a majority of the officers
 present; of course the men were suffered to deposit the arms as
 ve stated.

knowing what an immense loss the State will sustain, and believing
 t every stand of arms will be wanting to defend us against our ene-
 s, I would advise that measures be immediately adopted to have the
 is collected and secured, as they will be daily diminishing in number
 l value. Should your Excellency think proper to direct that the arms
 uld be secured, and at the same time consider me a proper person to
 e it done, I shall willingly undertake the same for the good of my
 ntry, and confide the business to such persons only as will discharge
 duty with fidelity and for a reasonable compensation.

I am, &c.

D. ARCHER (COMD'T 1ST BATT., 68TH REG'T) TO THE GOVERNOR.

is the wish of the Inhabitants of York that the Gov'r should order
 for further defence the 1st Battalion of the 68th Reg't. The Bat-
 on District begins at Goowin's point (at the mouth of York River)
 terminates at the college in the city of W'ms Burg. By the last
 alion return it appears that the said Battalion was 104 strong.

June 12,
 York

I am, &c.

nce writing the above Letter, I am informed by a passenger in the
 e from W'ms Burg that the Revenue Cutter Surveyor, commanded
 apt. Sam'l Travis, lying opposite the Capitol Creek, was captured
 night by four of the Enemy's barges that came up York River.

I am, &c.

JOHN MYERS (AID-DE-CAMP GEN'L TAYLOR) TO THE GOVERNOR

1813.
June 17,
Norfolk

The General directs me to hand you a copy of a letter received yesterday from Major Nimmo, of the 20th Regiment, Princess Anne County. It was accompanied by two letters by a flag of truce from the commander of the British Frigate *Atalante* (T. Hickey), demanding so many Sheep and Oxen, with a threat if not complied with, of using force, and destroyed a mill on the plantation of the Proprietor to whom the letters were addressed, living about ten miles to the southwest of Cape Henry.

This conduct is disgraceful and unmanly, and the rencontre which is reported by Major Nimmo to have been the consequence, proves that such transactions only excite the scorn and resentment of our Yeomanry, and will never lead them to acquiesce in similar demands.

The General begs permission to state that great advantage might result from the Militia on that frontier being supplied with ammunition. He has for the present informed Major Nimmo that he will supply him with some Powder and Lead to make Ball from the U. S. stores on his own responsibility, and recommended to him to furnish what he can obtain in the neighborhood on behalf of the State government, by whom he would doubtless be remunerated.

I am, &c.

PRINCESS ANNE CO., *June 15th, 1813*

SIR,—One of his Britannic Majesty's Ships sent a flag of truce ashore last evening demanding fresh provisions. Getting more calm, this day about 12 o'clock, with several boats, fired on some persons then on the Beach. I heard the alarm; collected about 15 men; went down with speed, and disappointed of burning one wind-mill by a close engagement. They went on board and reinforced before I could. They came the second time and burnt another mill.

We attacked them, altho' they were under cover of the cannon, and in a little time we could have made prisoners of them, but our ammunition gave out. They say they want fresh provisions, and they will have it on some terms.

They fired near 100 twenty-four pounders at us, and we reinforced in the afternoon, and had another engagement. We had one man slightly wounded, and the enemy carried one man on board dead or wounded. Now, I have collected the militia, but we can only depend on the best we have. I have used every means to procure ammunition, but have failed. If we do not get it from some source, we must quit our county and leave our families to be driven from our own houses.

We expect an attack to-morrow by a reinforcement.

Please excuse me in making free, as I am not in the requisition now in service. I only wish to call your attention in this crisis. We are now on the frontier, and no ammunition. I have enclosed the letters from his Majesty's Ship, but I did not receive them until our engagement was over.

1813.
June 17,
Norfolk

I am your most ob'd't servant,

WM. NIMMO,
Major 1st Batt'n 2d Va. Reg't.

WILLIAM ARMISTEAD, M. C. D., TO THE GOVERNOR.

One of our videts has this moment arrived from Sandy Point with a communication from John Minge, Esq'r, which I hasten to forward to your Excellency.

June 21,
Holly
Springs

I am, &c.

P. S.—The trooper states that twelve British vessels have just arrived in Hampton Roads.

SUNDAY EVENING, *June 20th, 1813.*

I was on board a Smithfield boat this evening after sunset. The Cap't informed us that he was this morning in about 10 miles of Newport News and saw an engagement with some of our gun-boats and an Enemy's ship supposed to be a Frigate. In about two hours after the firing began the ship fell down around the point, and the gun-boats appeared to follow. He also stated that the inhabitants of Smithfield were moving out their goods as fast as possible. I believe the man told the truth.

JOHN MINGE.

STA'N CRUTCHFIELD TO THE GOVERNOR.

Feeling it my duty, I take the liberty of informing you by Express of the vast increase of the Enemy and their threatening position. In Hampton Roads, up to the mouth of James River, there are at this time four seventy-fours, Eleven Frigates, Three Transports, and six Tenders (two of them armed schooners—one, the Revenue Cutter, lately taken from us), and below are three seventy-fours now under way.

June 21,
Camp near
Hampton

You will at once perceive the impossibility of opposing their numbers with not more than five hundred men, officers included, many of whom are in the Hospital, and will, I make no doubt, hasten to the field of action.

1813.
June 21,
Camp near
Hampton

In the event of the Executive giving any assistance, in the absence of all communication being cut off with Norfolk, it would be desirable that such Troops should be detached as can move with the greatest celerity.

The militia of the 115 and 78th Regiment will, it's understood, defend the various points above us. Having previously determined not to abandon or surrender the Post, but in the last moment of a desperate extremity, shall feel a consolation in having discharged that duty which, with the Troops and citizens, are so anxiously insisted upon and demanded of me—That of aid.

I am, &c.

J. L. RIDDICK, JR., TO THE GOVERNOR.

June 23,
Suffolk

I am this moment on the wing with the whole of the effectives belonging to the 59th Reg't under my command in consequence of the landing of a formidable force on the lower part of this county.

I deem a further supply of ammunition of the first importance, and must earnestly solicit your Excellency to forward on with dispatch such munitions of war and such *aid* as the emergency demands.

I am, &c.

STAPLETON CRUTCHFIELD TO THE GOVERNOR.

June 25,
Half Way
House
between
Hampton
and York

I have to perform the painful duty of apprising you of my retreat with the Garrison under my command at Hampton to this place. This morning a little after five o'clock the Enemy commenced a fire of round and rocket shot from their tenders and barges in the river and creek opposite to Hampton, and very shortly *afterwards by nine Hundred troops in our rear.* Their attack from the water direction which was kept up incessantly, was repelled by our batteries under the command of Capt. B. W. Pryor in a manner worthy of veteran troops. Upon the attack from the landside I proceeded with the Infantry companies to the road in order most effectually to counteract the designs of the Enemy in that quarter, but had not gained the desired point of destination before the muskets of the foe assailed our troops from a skirt of woods near where the riflemen under Capt. R. Servant had been placed, and who, for some considerable time, with much coolness, and, no doubt, excellent effect, kept them in check. From our line of march in column through a field where we were attacked, I immediately found a line and advanced by quick time towards the woods where the invaders had formed.

We had not proceeded far in this line before the Enemy opened

heavy and continual fire of grape and other shot upon us. The view of the enemy's troops which I now took, rendered it necessary on our part to form again in column and endeavor to gain the wood now within one or two hundred yards.

In endeavoring to gain such a position, our troops were for a short time necessarily exposed to the fire of the Enemy. Upon filing into the woods in order to repel with the best effect the opposing fire, the troops under my command, with very few exceptions, (with which few I take pride in mentioning Capt. Sam'l Shields' company, who executed the orders given in a very ready and spirited manner), seemed to consider their woody asylum as inviting to fly, and immediately flew in every direction, and would not with every effort I could use consent to rally.

Under such circumstances the Enemy pursuing with rapidity and success, *a general rout and retreat of our troops took place.* I fear we have lost many brave fellows. Major Corbin at the head of the column and very near the Enemy, received several shots, one of which passed through his leg, one through his arm, and he remains dangerously wounded. The Enemy marched into the town, and Capt. Pryor's company being completely surrounded by land and by water, must have been taken prisoners at their batteries. I am unable at present to enter into further detail. Your orders of the 23rd instant met me on the retreat.

From a French officer and two privates who left the Enemy this morning, I learn that the Enemy have between 4 and 5,000 troops, and with the very great force near to and in possession of Hampton, should they desire to remain will render a very considerable force necessary to remove them.

Reserving further details from York or Williamsburg, to the first of which places I intend to proceed this evening,

I am, &c.

P. S.—Capt. Pryor with most of his brave soldiers have this moment reached here, after having most severely handled the Enemy, spiked theirannon, swam across the creek, and retreated in rear of the enemy. Major Corbin has also just reached here in a tumbril.

By order of Major Crutchfield.

RO. ANDERSON, Adj.

ROBERT G. SCOTT TO THE GOVERNOR.

Mr. Coleman, just from York, has brought the particulars of the late disastrous attack on Hampton. The enemy appears to have planned their attack well; a marine force approached the town through Hampton creek, while a land force landed between Newports Noose and the creek, and fell on the rear of the garrison, who being overpowered, made a long

1813.
June 25,
Half Way
House
between
Hampton
and York

June 25,
Williams-
burg

1813.
June 25,
Williams-
burg

and gallant defence, but were finally compelled to retreat. About 150 escaped and are now at the half-way house between Hampton and York, where 115th Regiment are ordered to convene.

One Company of this Regiment, under the command of Capt. Coleman, about 35 strong, move to-night. Captain Archer, with 40 men, are in New York with Captain Boyan's, with about 30 men. Captains Hubbard, Taylor, and Hazelwood are to rendezvous here to-morrow by 10 o'clock. These companies will amount to about 170. The troops are without either Nap-sacks, canteens, or tents. The ammunition, too, is not plentiful, and the troops, who have retreated from Hampton, are almost entirely without any, having lost all, as well as their camp equipage at Hampton. These wants should be immediately supplied. The whole of this Regiment will march to the half-way house, where the whole number will not exceed, with those from Hampton as well as the 115th Regiment, 700 men. The enemy's force is estimated from 900 to 1,100 strong.

I am, &c.

ALEXANDER TAYLOR (CAPTAIN) TO THE GOVERNOR.

June 26,
Petersburg

Tendering the services of the Petersburg Repub'n L. Infantry Company for the defence of the Country.

ROB'T B. TAYLOR (B. G.) TO THE GOVERNOR.

June 27,
Norfolk

I have made drafts on the neighboring Counties for as many men as was consistent with their safety from the internal foe, should any attempt be made on them by the Enemy.

Yesterday two Americans were brought up to me. They had escaped, as they said, from the vessels in Lynhaven, having been detained in a ship from Baltimore to Lisbon. They inform me that the Triumph, 74, arrived two days ago with a reinforcement of 4 to 500 troops; and the Enemy have since been joined by a brig and schooner from sea, the latter apparently full of men. No movement is making to-day, but the boats and Tenders have come out of Hampton full of men, and are laying among the Ships in the Road near Willoughby's.

From the calm and inactivity among them at present, I conjecture that the check at Crany Island has been such as to cause their waiting for reinforcement, which is in all probability expected to arrive, or the preparation of new means for attack. Their land forces, by their own account to these men, are 5,000 men, and they consider ours 7,000.

Under these circumstances, I deem it highly important that all the

ce above this and in your neighborhood that can be marched at once
ould be put in motion towards this place without delay. As the pres-
state of things cannot continue long, we ought to be prepared by a
isive stroke to check the best efforts of the enemy.

1813.
June 27,
Norfolk

It may save Virginia for the residue of the war.

The consequences of their success are incalculable. Their whole force will
doubt be brought against us in the next attack.

I am, &c.

S.—I have this moment seen a letter from a respectable, intelligent
ginian, now in Lisbon, who announces the sailing of this fleet on the
ority of letters from England for the avowed purpose of destroying
place and New York.

FILES SELDEN (L. C. C. 62ND VA. REGT.) TO THE GOVERNOR.

he late news from the enemy has induced me to call out the greater
of this regiment; they are directed to rendezvous at Fort Powhatan,
of them at least as are provided with cartridges. I understand
the officer commanding, that he has at the Fort not more than 1,500
ridges. I furnished a part of the Militia when in service before with
10 rounds; these are all within our reach. If the authority which
ve exercised in calling into service for the present a part of this regi-
it is contrary to your wishes, be good enough to inform me soon. I
some difficulties upon the subject; more particularly as the people of
County are now in the midst of their harvest, but when I hear our
tual foe is already in possession of a part of our territory, and within
riking distance of us, I was unwilling to remain idle and indifferent.
seem it useless to call into service more of the militia until we can be
ished with more ammunition, which, I have no doubt, you will do
soon as possible. I shall proceed to establish a line of information
n the river immediately.

June 27,
Prince
George Co.

I am, &c.

The Petition of sundry citizens of Nansemond County setting forth
defenceless situation of Suffolk and the County generally: asking for
return of the militia of Nansemond (all of which is at Norfolk) for
protection of the citizens against the public enemy, as well as against
urrection, is filed.

RICH'D W. BYRD TO THE GOVERNOR.

1813.
June 28,
Smithfield

I deem it my duty to inform you that I have ventured to order the Isle of Wight troop of horse to Norfolk and the Southampton troop to this place. The former arrived in Norfolk on the 25th inst., and the latter got here last night. I should certainly have consulted you before taking this step, but I was affraid of the delay which would have thereby been produced. The duty imposed on the troopers at Norfolk is extremely hard, and would probably kill one-half the men and horses in another month but for the aid of the Isle of Wight troop.

The companies of Captains Carr and Saunders are getting very sickly, and this is ascribed in a great measure to excessive fatigue. I hope, therefore, that my conduct will not be disapproved by you. General Taylor applied to me several times for an additional troop. The one belonging to this County was embodied by the Commandant of the County before they were called to Norfolk by me. A frigate and a Brig are anchored about seven miles from this town. Four of their barges have been sent to attack a body of our Militia stationed at the mouth of our Creek. There have been two engagements with them, but I believe that no damage has yet been done on either side.

We have found several of the balls shot at our men. The enemy are using every effort to sound the channel of the creek. There is no doubt but they will succeed in getting here and destroying the town unless a proper force is kept here. If you have them to spare, permit me to beg that you will send down about fifty swords and as many pistols for the Southampton troop. They are nearly unarmed; where the fault lies I cannot tell. There is a great dispute between the former and present Captain upon this subject; each ascribing the fault to the other. As the troop is now situated, very little aid can be expected from it.

I am, &c.

JOSEPH W. BALLARD (MAJOR 1ST BATT'N 29TH REG'T) TO THE GOVERNOR.

June 28,
Smithfield

The threatening aspect presented by the enemy has again rendered it necessary to call out the militia of this county, and as the danger appears much more imminent, and the force of the enemy greater than heretofore, I called into service the whole force of the 29th Regt. On the 26th Inst. their launches attempted to enter Pagan creek and command an attack on a detachment of Infantry and artillery stationed there, who returned it in a spirited manner, and after exchanging fourteen shot they returned. On the same evening a ship and a brig, with

umber of launches, moved up opposite this place, and are now lying in
ght of it, and as soon as their force shall have left Hampton, of which
ey are now in possession, we expect their next object will be this
ice.

1813.
June 28,
Smithfield

An order has been received from you requiring our Cavalry to march
Norfolk, which accordingly marched on the 25th. Every exertion
s been made to render our force as imposing as possible ; all the ammu-
tion we could procure has been provided, and, in addition, a small sup-
y from Norfolk ; we yet stand in need of a considerable supply. Our
ms are particularly deficient; we require a supply of one hundred
uskets. Such as were not armed with fire locks have been attached to
r two field pieces as artillery, and all the fowling pieces we could pro-
re have been brought into service.

I have also applied to Col. Blow, of Southampton, for a reinforcement
f two militia companies ; the force of our regiment being much weak-
ed by the companies heretofore marched to Norfolk. I have deemed
proper to give you information (by express) of our situation here, and
ou may rest assured, Sir, that no exertions will be spared, and from
e zeal manifested by our militia, I may, with confidence, expect to
ve a good account of the enemy, should they, as I have no doubt,
editate an attack on this place.

I am, &c,

P. S. Since the march of our Cavalry a letter has been received from
eneral Taylor directing me to march 250 Infantry to Norfolk (more
an half our present force), to which, on account of the emergency of
e occasion, I have sent an answer stating the force here to be less than
e defence of this place requires. Capt. Dixon, of Portsmouth, has
en so good as to loan me two 9-lb. cannonades, and we stand in need
ammunition for them, as well as for the two field-pieces that were
at from Richmond.

Since finishing my letter one of our guard has this moment returned
om down the river, and states that 4 ships and a number of smaller
ssels are under full sail up the river, which, we suppose, are to join
ose now lying at the Mouth of the Creek, in order for an attack on
is place.

J. W. B.

WILLIAM CHAMBERLAYNE TO THE GOVERNOR.

The enclosed this moment reached me by express from Col. Wm.
Walker. I arrived here with the Regiment from New Kent and Charles
ity a few minutes before the express, and shall make every exertion to
each W'msburg to-night.

June 29,
James City

1813.
June 29,
James City

Since writing the above, I received yours of the 27th. My best exertions shall be used to effect the object contemplated.

I am, &c.

HEAD QUARTERS, W'MSBURG, *29th June, 1813.*

SIR,—I have just received information of six Barges coming up James River, in six miles of this place, and that there were several frigates near Day's Point, on James River, last night. I have to request that you will push on to my aid—at any rate with your Cavalry, if your Infantry are too much fatigued.

WM. WALKER, C. C. 68th Reg't.

Brig'r-Gen'l Chamberlayne.

JUNE 30TH, 1813.

Major Stapleton Crutchfield, being informed that a Flag of Truce was dispatched on the 28th by Admirable Sir J. B. Warren to Hampton, and that it is possible some indignity might have been conceived by the officer as offered on the part of a few of the citizens present, has deputed Major Griffin and Lieut. Lively with a flag, to assure the Admiral that every discontinuance has and will be shewn by the Commandant to occurrences of that unwarrantable nature. In the absence of supplies occasioned by the depredations committed on Hampton, which destroyed all medicine and comforts for the unfortunate wounded and sick Americans, the Major flatters himself that the Admiral will not oppose a speedy and direct supply from Norfolk.

Three of his Majesty's subjects having been taken prisoners at Hampton, whose names at this time are not recollected, but will be given, the Major would be informed of the number and names of those taken on the part of the British, individuals having felt the loss of private property, which can be presumed to be of use to none but themselves.

Col. King, an aged and respectable citizen, will be permitted to return to his family in Norfolk with the Flag of Truce.

ROB'T B. TAYLOR (B. G.) TO THE GOVERNOR.

July 1,
Norfolk

I had the honor to receive to-day your letter of the 28th. When all the forces shall have concentrated, the enemy can effect nothing by a land attack unless his force be greatly superior to what he is believed to have at his command. Whether his inactivity here be produced by an intention to abandon the attack, by preparation of new means, by the expectation of additional force, or by an attempt to distract or surprise

is wholly a matter of speculation. It behooves us, however, to be prepared for the worst.

1813.
July 1,
Norfolk

We are destitute of camp equipage and accoutrements for the expected procession, and the present force is poorly provided with waggons. The troops should either bring with them, or to prevent delay, there should be sent after them all the supplies of this sort, as also of cartridges which can be furnished—of waggons in particular there *should be a full supply*.

Great attention should be used to prevent any attempt of the enemy to cut off our reinforcements.

I am happy to inform you that in a conversation with my aid, Adm'l Warren, has disclaimed all intention to excite or arm the slaves.

There is a large supply of ordnance at the Navy Yard which I have no doubt might be had on your application, but we have no means of land transportation.

I am, &c.

WM. ALLEN TO THE GOVERNOR.

The day I wrote you from Cabin Point by mail 29th June, I ordered my Regt. to convene at Surry Ct. House the next day. Have at this time all the men that have arms on duty, to prevent, if possible, the British from committing depredations on the shores. To-day I went down to four-mile Tree, where I understood the British had landed from some of their Barges; unfortunately they had returned about half an hour before I got there with two companies of Infantry. They are destroying all the Stock of sheep and cattle they can find. The furniture in the houses. They took from Four-Mile Tree and Mount Pleasant this morning 26 head of Sheep and the Fowls; destroyed the furniture at Four-Mile Tree and Mount Pleasant. They were also at Mr. J. D. Edwards; have not heard what damage he sustained. The negroes informed me at Four-Mile Tree that those Barges that came there the men were only armed with swords and pistols. There are two Brigs, five or six schooners, and as many sloops up as high as Dancing Point. At four o'clock there are one Brig, two launches, and eight barges in two miles of this place. There is one large Brig at Goose Hill coming up. Some schooners and Sloops below here. The Brig appears by the eye to be a 20 Gun Brig. There are seven or eight Barges from Cobham down; having no glass could not tell if there are any Barges on the shores below. About three o'clock a boy, about the age of 14 years, that deserted from the British at Swan's Point (Tuesday night), came to the Guard at Four-Mile Tree. Informs me there are no Troops on board of the Vessels in James River. The vessels that are coming up James River intend to fill with water; he mentioned they were in want of

July 1,
Four Mile
Tree, Surry
County

1813.
July 1,
Four Mile
Tree, Surry
County

water and fresh provisions. The small vessels, he mentioned, had only as many men as would navigate them; from seven to twelve men in them. Major Langley C. Wills, whom I have stationed between Cobham and lower Chipcocks, informed me about 3 o'clock that one of the Barges came on shore with a Flag; informed he was sorry to hear that the Barges were plundering up the River; that it was contrary to orders. The officer that came with the Flag, mentioned he should punish those that had been plundering. The officer stated they wanted water; that he was determined to have it at the risk of every consequence. The deserter has this moment given me the number of men that are on board the Launches and Barges; Launches about 40 each; Barges from 10 to 20 each. I think they will go up as high as Kennon's for water. If it is possible, send me the arms mentioned in my letter of the 29th June—140 stand to completely arm my Reg't.

The Cartridges that were sent in March will not give each man more than eight. If you should not send arms, do send three or four thousand cartridges more. The 71st Reg't were in want of flints; I got some from Col. Selden; they are so small that not more than one-third of them will answer for muskets. One-half of the muskets at this time have flints that will not make fire more than twice or three times.

Not having any Troopers I am compelled to forward my letter by mail. I have stationed Major Langley C. Wills, with two companies of Infantry, between Cobham and lower Chipcocks; Capt. Thos. Cocke at upper Chipcocks with two companies.

I am, &c.

WM. TAZEWELL TO THE GOVERNOR.

July 2,
Williams-
burg

Anticipating that any information relative to the situation of Major Corbin, who suffered so severely in the defence of Hampton, will be interesting to you, I take the liberty to communicate that notwithstanding their severity and the inclemency of the season, his wounds look well, and as yet promise the most favorable result.

We have been for some days in a state of great consternation here. Not less than 14 of the enemy's Barges, accompanied by an armed Brig and 6 or 7 Tenders, have been engaged in the work of plundering and desolation in our immediate neighborhood. On yesterday evening, disgraceful to state, a party landed at Jas. Town, and after plundering the plantation, destroyed Lieut. Ambler's Household furniture of every description.

I am, &c.

N. B.—I have just learned from good authority that a number of the Enemy's Barges have been seen passing to-day up and down the river opposite this place.

ROB'T B. TAYLOR (B. G.) TO THE GOVERNOR.

Your despatch by Express reached me yesterday. The Trooper brought it down with extraordinary dispatch, and was too much exhausted to return till to-morrow.

1813.
July 2,
Norfolk

I am sensible of the embarrassment produced by the remonstrance from Nansemond; nor is it without cause that the inhabitants of that County feel uneasy at their situation, though I think they have magnified their danger, as they have also the inducement for a hostile attempt.

It is not to be believed that any movement of slaves will be attempted while a large force lies between them and the enemy, on whose co-operation they might rely; neither can it be thought probable that the Enemy would attempt Suffolk with such a force in his rear. But this is a crisis of great trial, in which minor evils must be submitted to to avert greater. The possession of Norfolk by the enemy leaves not only Suffolk and Nansemond but all the lower part of Virginia open to his inroads.

His defeat here will probably give security during the war. Under this impression, though I feel every disposition to give all the protection in my power to Nansemond, I cannot think it judicious to diminish a force now probably numerically inferior to the enemy's and necessarily distributed at many points. So soon as the concentration of the intended succor shall enable me, I will send back the Nansemond Troops last called out, retaining only its cavalry. I think it desirable that all the force not needful for your defence should be sent down. Riflemen will be very useful.

If these views should not meet your approbation, I shall take pleasure in accommodating myself to your wishes.

I am, &c.

JOS. W. MARTIN TO THE GOVERNOR.

Asking permission and advice as to raising an Artillery Company in Henry County, where, as yet, there does not exist one.

July 2,
Henry Co.

J. ARMSTRONG (SECRETARY) TO THE GOVERNOR.

I have the honor to acknowledge the receipt of your Excellency's letter of the 27th, with its inclosures, and to inform you that the measures which have been adopted by General Taylor and your Excellency have been approved by the President.

July 3,
War
Department

I am, &c.

THOS. GRIFFIN AND ROBERT LIVELY TO STA. CRUTCHFIELD (MAJOR COM'D'T).

1813.
July 4,
York

Anxious to effect as early as possible the objects of the flag entrusted to us by you on the 1st Inst., we proceeded immediately after receiving your dispatches for Admiral Warren and Gen'l Taylor to Hampton. On our arrival at the latter place, some difficulty arose in procuring a vessel to convey us to the British fleet, and after some delay we were compelled to embark in a small open four-oared boat, the only one it seemed which the fury of the enemy had left capable of floating. We proceeded to the fleet of the enemy with the utmost dispatch which our little skiff and the excessive heat of the day would permit; and when distant from the Admiral's ship about half a mile, were met and hailed by a barge from the Enemy, the officer of which was informed we had dispatches for Admiral Warren. We were invited into the barge, which invitation we accepted, as well to relieve ourselves from the confinement on board our little vessel; to lighten as much as possible the burthen of our oarsmen; and to proceed with as much expedition as was practicable to obtain the objects of our mission. On our arrival at the Admiral's Ship (the St. Domingo) we were directed to proceed to the "Sceptre," a line of battle Ship, on which we were informed Admiral Cockburn had recently hoisted his flag. Arriving along side of this Ship, we were desired by the officer of the barge to ascend the ship; upon our reaching the deck we found a large assemblage of officers; certainly a greater number than could be necessarily attached to a single ship.

In the space of ten minutes the two Admirals—Warren and Cockburn—approached; to the former we delivered your dispatches, who, upon perusal, evinced embarrassment, and after a short space said that the principal object of the flag appeared to be to procure supplies for your Hospital; he was answered in the affirmative. Could not these supplies have been as easily and early procured from Richmond as from Norfolk? We thought not. The Admiral then said he would reflect upon the subject and return us an answer soon, and retired with Admiral Cockburn to the cabin of the ship. A period of about fifteen minutes then elapsed, when Admiral Cockburn advanced, and addressing Major Griffin, informed him that the Admiral would see him in the cabin. Upon Major Griffin's reaching the Cabin, the two Admirals only with him, Admiral Warren again repeated the opinion that the Hospital supplies could be as expeditiously procured from Richmond as from Norfolk, saying it was contrary to their regulations to permit even a flag to go to Norfolk; that it was their intention to land Mr. King, who went with the flag, at Seawell's point, and jointly with Admiral Cockburn expresses an unwillingness to permit the flag to proceed. They were answered that if the flag was permitted to proceed, the supplies could

1813.
July 4,
York

be procured sooner than if the flag was compelled to return—certainly in the course of the following day—that if compelled to resort to Richmond, three days, probably more, would pass before the stores could reach Hampton; that our wounded and sick were suffering for medicine and necessaries; that all the medicine, private as well as public property, had been wantonly destroyed by the troops, who lately captured Hampton, and that the supplies absolutely required for the use of the Hospital could not be procured in Hampton.

The Admiral said he had heard that the Hospitals had received some supplies—he was asked from whence, and assured it was not the case. Finding the Admiral still hesitating, Major Griffin said, “that the reputed humanity of Admiral Warren forbid Major Crutchfield to doubt that the application for the passage of a flag to Norfolk would be refused.” After a short time, Major Griffin was informed that the flag might proceed upon condition of returning alongside the ship in the same vessel with the same persons and with no increase of persons. The restriction to the same vessel was combatted on the ground that in the event of much wind, the boat was too small to navigate the roads, and thus the object of the flag would be defeated; but finding no relaxation in the condition probable, it was determined upon consultation with Lieut. Lively, to proceed.

Upon the subject of prisoners, Admiral Warren acknowledged one only to be in the fleet taken at Hampton. He declined all arrangement, and avoided all discussion on this topic, saying he had opened correspondence with General Taylor, but nothing was decided. Relative to the officers baggage captured in Hampton, the Admiral said that such articles as had been found had been restored, and mentioned the papers of Capt. Pryor, which had been placed in the care of Capt. Myers, of Norfolk, and assured Major Griffin that he would direct Sir Sydney Beckwith to enquire further, and if any should be discovered it would be made known to us on our return.

We were then informed we might proceed, which we immediately did. and reaching Norfolk after 3 p. m., repaired to General Taylor's quarters, who directed the supplies written for by the surgeons. Returning on the 2nd, we were, as is customary, again met by a barge of the Enemy and desired to call on board the Admiral Ship; we entered the Ship and were received by the Captain, who enquired if we had dispatches for the Admiral; being informed we were the returning flag that had proceeded to Norfolk the day before, the Capt. retired to the Cabin and shortly returned with information that we might proceed when we pleased. This we did and deposited with Dr. Colton the medical and Hospital supplies sent from Norfolk.

Upon our reaching Hampton, a scene of desolation and destruction presented itself—the few inhabitants we found in town seemed not yet to have recovered from their alarm. Dismay and consternation sat on

1813.
July 4,
York

every countenance; reports had reached us of the violence and uncontrolled fury of the enemy after they obtained possession of the place; their conduct in some cases being represented such as would have disgraced the days of vandalism. Our feelings were much excited, and we deemed it our duty to pursue the enquiry as far as practicable, and are sorry to say, that from all the information we could procure from sources too respectable to permit us to doubt, we are compelled to believe that acts of violence have been perpetrated which have disgraced the age in which we live. The sex hitherto guarded by soldier's honor escaped not the rude assaults of superior force, nor could disease disarm the foe of his ferocity. The apology that these atrocities were committed by the French soldiers attached to the British forces now in our waters, appeared to us no justification of those who employed them, believing as we do that an officer is or ought to be ever responsible for the conduct of the troops under his command.

We are, &c.

WM. CHAMBERLAND (B. G.) TO THE GOVERNOR.

July 5,
Williams-
burg

Reports of yesterday morning made the River almost clear of the Enemy; but by the evening they were moving up—their numbers as great as at any time heretofore. Among them were a Brig, several schooners and eight or ten Barges. They passed above James Town before night. This morning some have been seen going down, and one or two up. It is very evident, I think, that they are merely watering. Under this impression I contemplate dispatching some small detachments to different parts of the river for the purpose of attempting to cut them off when they land and to check if possible their depredations.

The difficulty of procuring supplies for the soldiers under my command begins to assume quite a serious aspect, and will, I fear, in some short time (unless removed), be productive of much complaining and great inconvenience. This difficulty arises evidently from two causes, viz.—The want of the proper officer and the means of purchasing, such as have been procured by those gentlemen who have acted for me have been laid in at a very advanced price in consequence of their being purchased without money, and even at those prices the sellers (I am informed), shew great reluctance to sell on the present terms. Should it however not be in the power of the Executive immediately to furnish money, the appointment of some active man to the office of commissary would have a considerable effect in lessening the difficulty.

A wish to promote the service as much as possible has induced me (with reluctance), thus to press you, knowing as I well do the anxiety and embarrassment you must have to encounter on subjects of this nature.

The friends of Captain Samuel Travis, a prisoner on board the enemy's squadron in our waters being disposed to supply him with some necessaries, have solicited of me a Flag for the purpose, and being myself unacquainted with the causes which are generally deemed sufficient to justify such a step, I have thought it best to suspend my decision until I could hear from your Excellency. You will therefore oblige me by noticing that subject in your next.

1813.
July 5,
Williams-
burg

I omitted to mention in a former communication that four large vessels supposed to be Frigates, and a large Brig, appeared two or three days ago to be laying at anchor just below Mulberry Island. Last evening only two of them could be seen from King's Mill. Immediately after the defeat at Hampton, Col. Howard, under the power vested in him by the Militia Laws, called aid from the County of Gloucester, and Col. Camp ordered out a troop of Cavalry, a part of which only marched. This Cavalry are at the present moment of the first importance at this place, that species of force belonging to the detachment being very small; it would, therefore, be very desirable to have it attached to my detachment until those from above should arrive. Without, however, some order to that effect, I have been informed that it will be ordered to return by the Col. of the Regiment to which it belongs.

I am, &c.

II. ST. G. TUCKER TO THE GOVERNOR.

A volunteer corps of Cavalry has been raised in this place within the last four days to serve for thirty days from the time of leaving here, and to march on to-morrow morning to the low country. The gallant young men who have enrolled themselves under me are among the most respectable in this part of the country, and have associated for the purpose of rendering immediate service to our distressed low country. Honorable to them and to the citizens of Winchester, as each individual either equips himself, or is equipped by the people here, and each individual maintains himself and will be of no expense to the State, unless she chooses to furnish to those who cannot supply themselves rations, and rations only, while we are on service. As some of those who are enrolled had not the means of braving this expense, the citizens have raised a fund for supplying them.

July 6,
Winchester

We shall reach Richmond on Saturday or Sunday next, and anxiously hope to be able to supply these the Deficiency in arms, which will, no doubt, exist notwithstanding all our exertions to collect swords and pistols in this country, and we rely, Sir, very confidently on your obliging permission to have them furnished us.

The bearer of this serves as commissary, or purchaser of provisions

1813.
July 6,
Winchester

for us. Perhaps you may be able, on a moment's reflection, to refer him to some person who can give information and aid to him. We cannot wish to be understood as intimating a desire to give you any trouble about it.

Whilst I write on this subject I will beg leave to say something in relation to a communication which Captain Samuel Baker, of the Cavalry of the 51st Reg't, made to me. He and his troop are, I understand, not only willing but anxious to be employed. They are a fine set of men, well uniformed, and would receive your commands with alacrity. Capt. Baker himself is amongst the finest looking officers I ever knew; and his spirit is, no doubt, correspondent with his appearance. His present application is an evidence of it, for if he finds there is no probability of his being called out, he will immediately proceed to Richmond and unite himself as a private with our corps.

I am, &c.

WM. B. COOPER (CAPT. CAV'Y) TO MAJOR STA. CRUTCHFIELD.

July 6,
Near Hampton

From three deserters, which are now on their way to York, with other information collected in the neighborhood, I am enabled to give you the following particulars:

That Admiral Cockburn, with a seventy-four troop ship, has sailed for New London; that there are two companies of Marines encamped at the Light House to cover their watering parties; that the ships are nearly supplied, at which time they are to sail and join Admiral Cockburn, no doubt for the purpose of making an attack on that place. Two Frigates have dropped down from the Roads and one from James River; that the remainder, with Tenders and Barges, were expected down immediately.

From every information, there can be no doubt but they intend to put to sea immediately, and that our Frigates at New London is their next object. Admiral Cockburn has left his flag on board, the better to cover his views.

Information from a British officer to Lieut. Parish, of the Cutter, states that at the affair at Hampton their loss was 120 killed and 90 or 95 wounded; that a Transport had sailed for Halifax with the wounded, and that she had not room for more. He spoke highly of the riflemen, observing that their first fire was a deadly one, which threw them into confusion, remarking that another such discharge would have routed the van or caused them to have laid down their arms.

Their loss in officers is one Major Killed, one Capt. of marines severely wounded, one Lieut. of Marines wounded—since dead—and two others wounded belonging to the Diadem of the first Battalion.

Nothing more at this time worth communicating.

I am, &c.

RICH'D E. PARKER TO THE GOVERNOR.

Understanding that the Executive, from the exposed situation of the Northern Neck, have determined to call no part of the militia from that quarter, and that this determination will probably prevent the gratification of my ardent wish to be called into service, I beg leave through you to offer to their consideration when they come again to act on that subject, the following remarks:

1813.
July 6

The Northern Neck is, it is true, greatly exposed to the plundering parties of the Enemy. The bold waters that almost surround them offer innumerable points of annoyance to those who command the Rivers. They may and do expect during the summer to be continually alarmed and sometimes assailed by Free booters and Robbers, but they apprehend nothing more than occasional depredations on the most *exposed* points. They offer no temptation to any more regular system of warfare on the part of the enemy. They have no military port which it would be important for him in any point of view to take or to maintain. They are subject to no other evils of the war than the appearance and almost instant disappearance of a marauding party, after burning a few houses and carrying off a few cattle and negroes. To guard against these evils and punish their assailants, they have men enough, and more than enough.

It is not an augmentation in quantity of their force but an improvement in its quality which they desire. For this purpose it was to have been wished that it had been compatible with the public interest to have allowed us a small movable column which under proper regulation might have protected almost every point, whilst it was acquiring habits of discipline and improving in a knowledge of their profession, which through them would have pervaded the whole body of the Militia. As this could not be granted them as their musters could not be rendered more frequent, nor the power of the Col. commandants to call out the Militia in cases of invasion or Insurrection only enlarged. I submit it respectfully to the Executive (without any reference to my own case) whether they can now render any greater service to the Northern Neck or its Militia than to give an opportunity to some of its *officers* at least to acquire that knowledge and experience, without which valour and enthusiasm are of no avail. The war, it is to be presumed, will continue longer than their tour of duty, and although during that period their district will be deprived of their services, yet at the end of it they will return home with powers of assisting and directing their fellows a thousand fold increased.

Then it will be seen that lasting benefits will be derived from temporary deprivations, and the enlightened policy which conferred them will be blessed and applauded.

I have said that we did not want men. Indeed I do not see that the

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July 6

requisition in that quarter adds any thing to our security since an opinion very generally prevails, upon I know not what authority, that it is not liable to be called out, County purposes being always subject to the orders of the President.

The Executive will excuse the anxiety I feel as to the result of their reflections on this subject. When I recollect that during the American Revolution every relation I had on Earth old enough to draw a sword and not too old to wield it, were found under the standard of their country, when I know that at this moment, almost every one but myself are by land or by water maintaining their violated rights and avenging our insulted honour, I should be an alien to their blood and unworthy the proud name of "Virginia," if I did not aspire to the same distinction. With sentiments of the highest respect,

I am, &c.

MILES SELDEN TO THE GOVERNOR.

July 7,
Fort Pow-
hatan

Upon the receipt of your last letter, I hastened to follow its advice by disbanding the 62nd Reg't.

The men had not all reached home before I received intelligence from the videttes below, of the approach of a very formidable flat of barges and other vessels crowded with troops. I instantly issued orders to recall them, and extended my orders to the whole Regiment. They, with great alacrity, obeyed the summons notwithstanding the peculiar hardship of their situation, leaving their entire crops (in many instances) without a single person to attend to them. The position which the enemy has taken for some time made it necessary on my part (as I have thought) to continue at this place the Reg't. I have been reinforced by a company of Artillery from Petersburg and two companies of Infantry from Dinwiddie, making the force at this place at this time equal to about 450, exclusive of officers and exclusive of the troop of Cavalry that is principally on vidette duty. Late last night I received information from Capt. Benedict, dated Shoal bay, informing me that the smaller vessels joined the Frigates and Brigs laying off the point of Shoals yesterday, and put on board of them water and a considerable quantity of live stock, &c., immediately after which the larger vessels proceeded down the river, leaving behind all the brigs, schooners, and barges. I shall know to-day what course they will take. I presume they will return up the river. Whether they will continue their predatory warfare on the river below this, or attempt to come up higher, it is impossible to say.

If we were furnished with proper carriages for our cannon, with our present force we should be able to give them some trouble. I have en-

red to make you acquainted with the real situation of the enemy
n the river, as well as the peculiar situation of the people of this
y, and shall wait for your further orders.

1813.
July 7,
Fort Pow-
hatan

I am, &c.

JOHN DEV. DELACY TO THE GOVERNOR.

e importance of the object contemplated induces me, without
gy, to solicit your patronage for the enclosed.

July 8,
Charleston

I am, &c.

WM. CHAMBERLAIN TO THE GOVERNOR.

ours of the 6th was duly received, neither the contractor nor his
lies have reached us, and but for the active exertions of some indi-
als prompted by patriotism alone, the detachment here must have
red most severely. To these exertions, aided by the pledging of
te credit for the payment of supplies, are we indebted for such as
ave received. I feel it therefore my duty, Sir, to entreat that the
st means may be used to discharge the debts thus contracted. My
vill before this have reached you from which you will have received
nformation of my having visited York on the sixth instant. The
sentations received whilst there of the distressing and ruinous sit-
n of the Counties composing the 115th Regiment, together with the
nunication from Capt. Cooper, inclosed in my last to you, induced
o disband that portion of said Regiment called out by Col. Howard,
instructions to Major Crutchfield to enjoin upon the officers vigilance
trolling, and to repair to his detachment should there be an appear-
of danger. Indeed I could wish that the other Regiments now in
sition might be disbanded at the earliest possible moment—great
been their sacrifices, and without a speedy return to their homes at
ritical season of their crops, the loss of the greater part must be
ulable.

July 8,
Williams-
burg

e disappearance of the enemy from this immediate neighborhood,
ef that the danger has for the present subsided, and the knowledge
t force is on its march to this point, induce me the more readily to
mend that course. I shall this morning proceed towards Hampton
e purpose of ascertaining at what point my detachment should be
ned, so as best to promote the service for which it was intended.
ld I however decide to move down, it will be imprudent to do so
ut being first amply supplied with provisions as you may readily

1813.
July 8,
Williams-
burg

suppose that it will be (if not impossible) extremely difficult to procure them below. On my return you shall again hear from me.

I am, &c.

JNO. H. COCKE TO THE GOVERNOR.

July 9,
Camp Holly
Spring

Late last night I received the intelligence contained in the following extract of a letter from Isbon Benedict. As it contains the last intelligence from the enemy, I have deemed it necessary to communicate it:

"The enemy made an attempt to land yesterday, but got the Tender aground about two hundred yards below Lawn's creek. 29 of our troops crossed the creek and beat the enemy off from the Tender, and the Barges came from the Brigs to their assistance. The enemy then commenced a heavy fire from the Barges and Boats on our men, but without effect. The Enemy lost two killed and several wounded.

"At 11 A. M. the enemy set fire to the Tender and proceeded on board of the Brigs. At 12 they got under way and proceeded down the River near the white* Shoal, and there anchored. The above Brigs are the last of the Fleet that has been up the River, as I am informed by two deserters.

[Signed]

ISBON BENEDICT."

I am, &c.

* This shoal is below the mouth of Pagan creek.

C. JOHNSON (ACTING CAPT. STAUNTON VOLUNTEERS) TO THE GOVERNOR.

July 9,
Richmond

I have the honor to inform you that fifty-four men, principally from the town of Staunton and its vicinity, upon hearing of the danger from the Enemy which was supposed to threaten the State and its Capital, voluntarily associated themselves together, and under the direction of officers chosen by themselves, have repaired hither with all practicable despatch to enquire whether the crisis afforded any opportunity for them to be useful.

More than forty of them are mounted, but from the shortness of the time, though they used every exertion they could not arm themselves.

By their request and in their name, I now tender their services to you and authorize you to command them at any place and in any manner in which they can be useful in defending the Commonwealth from any present danger.

I am, &c.

CALVIN JONES TO THE GOVERNOR.

By an address in the enclosed paper, your Excellency will perceive
I am about to raise a corps to aid in the defence of the coasts of
Virginia. I take the liberty of addressing you this to enquire whether
aid of this corps is desirable to Virginia, and whether the species of
corps proposed to be raised is such as in your opinion is best calculated
for the contemplated service. Cavalry would have been preferred here
had suitable arms have been obtained, but broad swords are not to be
used in the State.

1813.
July 9,
Raleigh,
N. C.

Will you also inform me whether this corps could obtain Sabres on
loan from the State of Virginia on ample security being given that they
shall be returned when the term of service expires. I am not now sure
they will be wanted. That will depend much on the opinion which may
be entertained by the members of the corps and by military men ac-
quainted with the force already assembled and the nature of the service.
There may exist objections to a corps raised for so short a term of ser-
vice. With men who are to become soldiers mechanically, this objection
would have great force, but in a corps where it is hoped every individual
shall do his duty from a sense of honor, its force will be greatly lessened.
It was not thought politic to propose a longer term, as it might tend to
diminish the number of the volunteers; yet it is believed that when they
have served the three months, the greater proportion will be willing to
prolong the term. Your Excellency will have the goodness to favor me
with an answer to this as soon as practicable; and I beg you to be as-
sured of the great respect with which

I am, &c.

A. CRUTCHFIELD, BY ROB. ANDERSON, ADJ'T, TO THE GOVERNOR.

Your favour by express was handed me on my way from Hampton
by General Chamberlayne, who has visited that place and its neighbor-
hood. I regret much to have been the cause of so much trouble. The
position given by your favour certainly could not fail to be satisfac-
tory when entitled to every respect, even to the most incredulous believer,
Wardlaw and two or three other gentlemen are here, with a view to
visit Hampton, and to procure with the Doctor that testimony which
is now to be required by the Executive of the facts contained in my re-
port. I have determined to return with him. I have, therefore, to beg
your indulgence for my answer to your favour until my return, assuring
you that nothing will be wanted on my part to promote harmony and
unity between the Executive and those under its command as well,
and of every nerve being exerted in favor of the public weal.

July 10
York

I am, &c.

W. ALLEN (LT.-COL. 71ST REG'T) TO THE GOVERNOR.

1813.
July 10,
Surry

On Tuesday, the 6th, the British vessels that were watering above Swan's Point went down to Lawn's creek; three of their Barges went up the Creek, burnt two vessels that were about 4 miles up, a small schooner that they had got on ground below the mouth of the Creek on the Isle of Wight side. Major Langley C. Wills went down and crossed the creek, attacked him and three Barges the next morning with thirty-two of his men that volunteered. After giving them fifty or sixty rounds, the Barges set fire to the schooner and returned to the brigs that were at anchor off the mouth of the creek. We met with no loss. There were three of the men on board of the Barges and schooner seen to fall; one of them was found shot in the mouth.

The distance the enemy were from our troops was the cause of no more execution being done. The schooner and barges were at least 350 or 400 yards from the shore. I have got two deserters that came from the schooner the night before, one a white lad about the age of 18, by the name of John Robinson, the other a black man named George Mitchell, who informed me he is a free man from New York; was pressed by the British from one of our ships in the year 1806. One of the deserters mentioned that the Barges that were watering against Four Mile Tree had got one of their men wounded by the guard there that fired on them.

I have three deserters - will thank you to inform me what I shall do with them. At this time they are not able to march, their feet are very much swelled by the scratches from the Briars. Mr. William Edwards, at Surry Court House, wishes to take the boy by the name of John Dodd that I mentioned in my letter to you of the 1st, that came to me at Four Mile Tree.

The British vessels having left James River, I have to-day discharged my Reg't. Have received today the Deputy Adjutant General's letter of the 5th, informing there were three thousand cartridges and twelve hundred fints directed to be sent for the use of the 71st Reg't. Am sorry to hear there are no arms coming with the cartridges. I am convinced two or three six pounders cannon used as flying artillery on the banks of the river in this vicinity, will prevent the Tenders and Barges from coming up the river.

I am, &c.

W. ALLEN (LT.-COL. 71ST REG'T) TO THE GOVERNOR.

RECEIVED BY THE GOVERNOR
The Hon. Secy. of the Executive's communication
to the Legislature of Virginia.
The distinguished honor conferred

on me by the representatives of my native State, and beg you will be pleased to express to them my gratitude.

To you, Sir, who have so handsomely and elegantly conveyed to me the Resolution of the House, I feel particularly grateful; and do assure you that my services however trivial, will ever be at the command of my country.

With sentiments of sincere Respect,

I am, &c.

WM. CHAMBERLAYNE B. G., TO THE GOVERNOR.

A communication from the deputy Adjt. General directing me to permit to return home the Militia under my command who were called out *en masse*, leaving the Cavalry and such part as may have been of the regular requisition under the command of Major Robinson, met me to-day at York, on my way from Hampton.

From information received there, several of the enemy's large vessels have gone to sea, and from the movements of the others it was believed that they were also about to sail.

Nothing occurring whilst I was in Hampton calculated to induce a belief that the enemy either contemplated an attack, or to resume their former position and continue their depredations. I have issued orders disbanding the Militia, agreeable to the above instructions.

Before closing my communications to your Excellency, I must beg leave to mention the prompt obedience to their country's call which has been displayed by the officers and soldiers generally under my command. I have witnessed with heartfelt satisfaction the triumph of their patriotic zeal and love of country over private feelings and the greatest individual sacrifices. I have seen them exchange the easy and peaceful pursuits of private life for the rough duties and hardships of the soldier with a degree of alacrity and cheerfulness surpassed by no former example; and I have marked with the most grateful feelings the determined firmness and resolution with which they encountered the fatigue and oppressive heat of the march on the 29th of June to meet, as was then supposed, an invading foe and defend their country's rights. Here, too, I must be permitted to observe that I cannot speak in terms too high of the assistance which I have derived from the voluntary, active, and patriotic exertions of Mr. John Minge, Quarter Master of the 52d Reg't, who has without any appointment, performed in the most able and satisfactory manner all the duties of a Quarter Master to the Detachment. In my communication of the 3rd ult., I stated that the execution of your orders directing me to dispatch an officer to Hampton for the purpose of taking affidavits to the authenticity of the facts contained

1813.
July 11,
U. S. Sloop
of War off
Erie, Pa.

July 11,
Williams
burg

1813.
July 11,
Williams-
burg

in Major Crutchfield's Report of the conduct of the Enemy whilst in the possession of Hampton, had been entrusted to him at his instance. The Major being with me, as you have been before informed, at the time I received that communication, and being myself ignorant of the particular facts alluded to, having then not seen his official report, I placed it in his hands for perusal.

At that time I did not discover that he had ascribed to it any object different from that which I believed your Excellency to have intended ; but the day after his return to York I received a letter from him discovering that his feelings and those of his officers were extremely wounded by the construction which they had given to it ; to such a degree, indeed, that the Major had enclosed his commission to me. Believing, however, that those feelings had been excited by a misconception of that communication, I determined not to communicate with your Excellency upon that subject until I had an opportunity of trying to divest those Gentlemen of the influence of what I deemed a wrong construction, and to change the determination of the Major. By my late visit to York that opportunity has been furnished me, and I am now pleased in being able to say my exertions, aided by letters from you, Dr. Wardlaw, and Mr. Quarles, have not been unavailing.

In conclusion, permit me to tender you, Sir, my warmest thanks for the polite manner in which my public exertions have been acknowledged, and to assure you that whenever the situation of my Country may require my aid, it shall be afforded with cheerfulness and alacrity.

I am, &c.

THOS. MILLER, CAPT. (BY RO. ANDERSON, ADJ'T) TO THE GOVERNOR.

July 11,
York, 6 P. M.

In the absence of Major Crutchfield, who is now in the neighborhood of Hampton, it becomes my duty to apprise you that there are now in full view from this place, under full sail, with a fine South East breeze, and apparently bound up the Chesapeake Bay, six large ships of the Enemy's Squadron—supposed to be four 74s and two Frigates. Whether their intentions are to proceed upwards, or to anchor opposite to York River, can only be conjectured, but I deem it of importance to communicate to you by express their present movements. Any ulterior movements of theirs will be duly communicated.

I am, &c.

Half past six p. m.

I open my letter to inform you that Capt. Cooper has this moment arrived from Hampton with intelligence that the whole of the Enemy's vessels have quitted Hampton Roads and its waters, and are there sup-

used to be gone out to sea—it is therefore probable that their entire forces are on the way up the bay.

By order of Capt. Miller.

1813.
July 11,
York, 6 P. M.

RO. ANDERSON, ADJ'T.

STA. CRUTCHFIELD (MAJOR) TO THE GOVERNOR.

This will be handed to you by Dr. Wardlaw on his return from Hampton, which was intended to be communicated to you through Gen'l Chamberlayne agreeably to his direction, but I was prevented from the hurried manner in which I returned to Hampton on the business suggested to you in my letter of the 10th inst., after a visit to that place and the circumjacent neighborhood with the General.

July 12,
York

The General requested me to state my opinion of the quantity of military force that might be requisite in this lower section of the Country for protection. If it should be the object of the Government to fortify and defend Hampton, the force required in that event would be considerable, but if a defence only against the enemy's marauding parties, from whom great injuries are sustained, and who appear in various parts of the country shifting rapidly, their points of attack, should be intended from experience and a knowledge of the country—the enemy's force employed in their schemes of plunder and facilities of approach afforded them by the numerous streams and water courses with which the Country largely abounds, would naturally lead to the description of force which moves with the greatest celerity, aided and supported by a portion of infantry in case of an attack on any given rallying point. I am therefore persuaded that with an effective force of the following description the views of the government could be realized :

Artillery—one Company with one long eighteen pounder and four six pounders well fixed, 100 strong. Cavalry with Carbines, 150. Riflemen mounted, 100. Do on foot, 100. Infantry of the Line, 550. Making an aggregate of one thousand, to which should be added one fourth to insure that number at all times ready to meet the enemy—this proportion from the unhealthiness of the climate, water, and other contingencies may always be calculated upon as non-effective. By this morning's report, the strength of our detachment for Hampton are effective 295, non-effective 172. Total 467.

If possible it would be desirable to be furnished with tents and camp equipage to enable the troops to return to Hampton, whence we should have since have returned but for the want of those articles, and indeed the inconvenience of procuring provision also, made it necessary to remain in York—and particularly so in the absence of the Paymaster, who seems to have felt not at all for those suffering soldiers who lost every article of clothing, &c., left without one cent and none to be borrowed.

1813.
July 12,
York

The names of the killed, wounded, and missing in the attack upon Hampton are :

James Madison, John Adams, James Branham, Armager Parsons, Carter Longest, Tyler Crocket, John Power, killed; Fountain Dickenson, Thomas Garten, John D. Barr (slightly), Nathan Campbell, Joseph Biggens, Robert Halbert, John Parrot, Landa Lindsay (since dead), Aaron Tennis (since dead), Carter Hunt (slightly), Thomas Parsons (slightly), John Charles, slightly; Thomas Watkins (slightly), Richard Waugh, James Holloway, Wounded; Henry Robinson, Prisoner.

The deputation of Major Griffin, with his report, are forwarded to you. Sir, with a view to shew with what indifference his Britanic Majesty's Admiral, Sir John B. Warren, felt towards our unfortunate wounded soldiers in refusing permission to procure a supply of medicine, &c., from Norfolk, his Loyal subjects having destroyed everything of that kind in Hampton. It is believed that thirteen sails of the British squadron have gone up the Bay, amongst them are four 74s. They have all left the Roads. I shall remain here a day or two, when the troops will march to the neighborhood of Hampton. It is hoped a representation, which will probably be given you by Col. Parker and Dr. Wardlaw, with other gentlemen, together with Major Griffin's and Lieut. Lively's report, will be received by the incredulous, and the worst of our enemies as incontrovertable as to the enormities committed by the Enemy upon the unfortunate sufferers at Hampton.

Should anything further be deemed necessary, let me assure you it will afford me much pleasure to execute any order upon that or any other subject.

I am, &c.

JOHN MYERS (CAPT. AND AID-DE-CAMP) TO THE GOVERNOR.

July 12,
Norfolk

I am directed by the General to communicate to you that the out-post at Sewell's reported last evening that all the Enemy's Squadron in the Roads got under way, consisting of 3 Ships of the line, 1 Razer, 5 frigates, 6 large Schooners, 4 small and many Barges.

And from the out-post at the Pleasure-house, I am informed this morning that 9 ships, a Brig, and several Tenders were out of Sight at sunset last evening standing up the Bay. There remains now in Lynhaven Bay only 1 ship of the Line, 2 frigates, and 3 Tenders.

The day before yesterday two deserters came in. They are marines that were placed as centinels to a watering party that landed near Cape Henry. They came in separately; being intelligent, were closely examined by the General. From corroborative statements, the General is under a strong impression that some of their transports have departed for

reinforcements, and he thinks that no measures should be relaxed by which the future designs of the enemy may be counteracted.

1813.
July 12,
Norfolk

I am, &c.

KENDALL ADDISON (LT.-COL. 27TH REG'T), WM. DUNTON (MAJOR 1ST BATTAL'N), M. S. PITTS (MAJOR 2ND BATT'N, 27TH REG'T) TO THE GOVERNOR.

We beg leave to recommend to you as a fit person to be commissioned as a Major of Artillery, Capt. Jno. G. Joynes, who is the senior Captain of Artillery on the Eastern Shore of Virginia, and in our opinion Capt. Joynes is a man well qualified to do the duties of a Major. We now have in the county of Northampton two companies of Artillery, and in the County of Accomack three companies, and in our opinion need a Major.

July 13,
Northampton

We are, &c.

THO. M. BAYLY TO THE GOVERNOR.

It is now admitted by all that the best defence for the shores of Accomack and Northampton is artillery, and it is wished to establish five Companies and form a Battalion under the command of a Major on this shore. Capt. John G. Joynes has distinguished himself since the war as a brave and attentive officer. His company I have often reviewed, and I believe it is equal in discipline and valor to any in Virginia.

July 14,
Accomack

I know of no man I believe will make a more faithful, brave, and attentive officer than Capt. Joynes, and should the Executive commission him a Major his appointment will give great satisfaction to the officers of the militia in Accomack and Northampton.

I am, &c.

GEORGE FRENCH (MAJOR) TO THE GOVERNOR.

From information received this morning by Express from the Col. commandant of King George county, the British fleet consisting of several frigates and a number of smaller vessels are in the Potomac, and lay last night opposite to Hooe's Ferry. Capt. Green with his volunteers have gone over to the Potomac this morning. The Militia of the Town are now under arms, and expresses are sent to inform the officers in the adjacent Counties. Three Rifle Companies from the 51st Regiment

July 15,
Fredericksburg

1813.
July 15,
Fredericks-
burg

arrived here a few hours ago on their march to Richmond under orders from your Excellency. They are commanded by Captains Burwell, Somers, and Gilkerson. We wish these companies to remain here 'till it is ascertained what course the Enemy means to take. Whether he means to proceed up the River, or land his forces with a view to plunder, or to make an attack on this town, a few days will develope.

The officers commanding these companies under orders from your Excellency, have consented, at the solicitation of the Mayor and Common Council of the Town, to wait until we can hear from you. For this purpose the gentlemen who will hand you this waits on you. We hope you will permit these companies to remain here and in the neighborhood of the Potomac.

We have a sufficient quantity of Powder but not lead enough. These companies have Rifles but no ball or Powder horns. If you permit them to remain according to our wishes, some ball and Powder horns will be wanting. Be so good as to forward your answer by the bearer as speedily as possible.

I am, &c.

ROBT CARTER BURWELL (CAPT.), JAMES H. LOWNS (CAPT.), CALMESE CATLETT (LIEUT. COM'T), — SHAMBAUGH (CAPT.), TO THE GOVERNOR.

July 15,
Fredericks-
burg

Should your Excellency determine that we are to remain here you will have the goodness to order on Tents, Powder, Ball, &c. Indeed, we have nothing with us but good men and good Rifles.

P. S. An express has this moment arrived stating that the Enemy was in a few miles of Potomac Creek, 4 o'clock.

WILLIAM NELSON (MAJOR) TO THE GOVERNOR.

July 15,
Westmore-
land

Col. Rich'd Parker, of this County, being absent, I conceive it becomes my duty to make to you the following communication: Major John Turberville, of the Second Battalion, residing in the lower part of this County, informed me very early this morning that about sixteen British Ships of War were seen yesterday from a place near Yeocomico River, which is a branch of the Potomac, pass up the Potomac with crowded sail, and supposed to be in pursuit of the Scorpion Sloop-of-War, then flying before her. Major Turberville also mentions that on the evening of yesterday the Enemy's Barges entered Yeocomico in pursuit of an armed schooner belonging to the Gun-boat Squadron, which was at anchor in that River; that an action took place between the

Barges and the schooner, and the schooner was captured. Major Turberville mentions that Capt. Siggany, the commander of the Schooner, was basely murdered after the enemy boarded, when there were but three men on the Deck, one of whom asked for quarters, which was rejected, and Mr. McClintic, the Midshipman, and the other man, jumped overboard and succeeded with several others in making their escape through a shower of Balls from their Musquetry. The body of Siggany was found on board, and was to be buried yesterday with the *Honors of War*. The schooner was left on *fire*, but through the vigilance of some of our men, who repaired to her, it was extinguished, and exertions are making to save the Guns, &c.

1813.
July 15,
Westmore-
land

We are in immediate want of Arms sufficient for two Companies, and a small supply of flints. You must be well aware of the complete exposure of our situation, and will readily perceive that some immediate assistance will be necessary to complete a proper defence. All the preparations and vigilance which we are capable of are in operation. There are at this moment four Frigates with their Tenders under crowded sail off White-point, which is about 3 miles above Mattox creek. They are supposed to be about 15 miles below Hooe's Ferry.

I am, &c.

JAMES BARBOUR (GOVERNOR) TO CALVEN JONES.

I have the honor to acknowledge the receipt of your favor under date of the 9th current, with your address to the citizens of North Carolina, by which I am informed of your intention to raise a corps of volunteers whose object is to tender their services for three months to Virginia to aid in her defence against the ruthless and barbarous foe who has so long waged against us a species of warfare as cowardly as it is base and barbarous.

July 15,
Richmond

This tender, Sir, is accepted. Riflemen (not mounted) will be the most acceptable force. If, however, rifles cannot be procured with you for the volunteers, they shall, upon their arrival at Norfolk, have good muskets at least. Should you succeed in organizing the force contemplated, you will have the goodness to repair to Norfolk and report yourself to General Taylor. It is important that we should be immediately advised of the number you calculate upon.

I should do great injustice to our feelings were I to withhold an expression of our grateful acknowledgements for your affectionate and magnanimous conduct. Nor do the emotions it inspires flow altogether from selfish considerations. We see in the part you are acting, that spirit which bound us together as a band of brothers during the Revolution, and carried us in triumph through that glorious conflict, and which, can

1813.
July 15,
Richmond

it be kept alive, will give under Providence immortality to our confederated Republic the last hope of man.

I have said that the Enemy has carried on a war base and barbarous. He has desolated private property; he has put to death the sick and the unresisting, and he has indulged in the most brutal violence on our females. Such conduct cannot but irritate the avenging hand of Heaven. "The Almighty has no attribute which can take sides with such an Enemy."

We turn with disgust and horror from this foul blot in the character of man and dwell with peculiar complacency upon your generous friendship so enobling to our nature, enhanced by the honorable mention you make of the aid furnished you by our fathers in the hour of your distress, and the acknowledgment that the mingled blood of the heroes of Virginia and North Carolina is the cement of our connexion.

I tender to you and your brave and patriotic companions my warmest wishes for your welfare.

I am, &c.

ROBT B. TAYLOR (B. G.) TO THE GOVERNOR.

July 16,
Norfolk

I have found it impossible to complete the estimate for the mail of to-day. On reflection I have feared that I might essentially thwart the measures of the Government if I undertook to replace the troops, or fix the amount of force for this place without any intimation of the views of the Secretary of war. But deeply impressed with the importance of the subject, and the necessity of adopting immediate measures, I have determined to set out on to-morrow or next day for Washington, to ask a conference with the Secretary. I shall pass through Richmond, and will have the honor to communicate with you on that and some other subjects deemed important to the service.

I am, &c.

AUST. SMITH TO THE GOVERNOR.

July 17,
King George

At this time there appears to be nearly opposite the mouth of Mattaponi Creek, and a little below in view, seven large British ships of war besides two Brigs, several Tenders and Barges; report says there are many more in the river—those in view seem to be coming up.

I have under my command here the Militia of this County. Captain John G. Stuart's company of Cavalry, about 50 rank and file, together with Capt. Wm. F. Gray's Company, detached from the 30th Regiment

na, amounting in the whole to about three hundred and fifty
ve men—only about three rounds to a man. I have therefore con-
ed it advisable to give you this information, and hope that you will
into consideration the necessity of furnishing a further supply of
union in as speedy a manner as possible.
r further particulars I refer you to Mr. Ashton the bearer hereof, an
ligent and respectable man.

1813.
July 17,
King George

I am, &c.

JOHN W. EPES TO THE GOVERNOR.

r. Macon, the chairman of a committee of the House of Representa-
s, appointed for the purpose of enquiring into the manner in which
war has been conducted on the part of Great Britain, has desired
to ask of you such information as you may possess as to the conduct
he Enemy at Hampton.

July 17,
Washington,
D. C.

Ve received this morning an express from Col. Monroe, who went
n the river on the first alarm for the purpose of ascertaining the
ition and strength of the Enemy. It appears from the information
arded by Col. Monroe that 2 Frigates and four smaller vessels are
r Cedar Point, about 70 miles below Alexandria. That the rest of
Squadron, amounting to twelve additional vessels, are 20 miles lower
vn.

t is not supposed here that they have any intention either of landing
ow or of attempting to come much higher up the river.

I am, &c.

CHAS. F. MERCER TO THE GOVERNOR.

he call which has just been made and answered on Loudoun for a
p of Cavalry has obliged us to send tae men as mounted Infantry,
ough they are uniformed as horsemen, and if provided with arms,
would make one of the best troops in this or any country. They
be in Alexandria to-night. Will it be practicable to have forwarded
y care at that place arms and accoutrements for 60 cavalry?

July 18,
George
Town D. C.

Ve are in like need of rifles, and are, as regards that species of force,
er like circumstances. Can you send us also 50 rifles?

a great haste, for I am riding express to General Armstrong, whose
er for reinforcements I have just executed with dispatch, which has
wed me in three entire days twelve hours repose to recruit the fatigue
30 miles hard travel, two addresses to the militia and six hours
ing.

I am, &c.

M. S. PITTS TO THE GOVERNOR.

1813.
July 19,
Northamp-
ton

Setting forth the superiority of Infantry and Cavalry to Artillery as the means of defence for the Eastern Shore, and of Rifles as the best arms for that locality.

JOHN CAPIN TO THE GOVERNOR.

July 19,
Navy Yard

Relating an experiment with James Loyd's inflammable Liquid for setting fire to Enemy's ships, which he thinks will prove a success.

R. E. PARKER TO THE GOVERNOR.

July 19,
Westmore-
land

I have the honor to state to you, for the information of his Excellency, the Commander-in-chief, that I arrived in the Camp of the upper Battalion, at upper Kinsale, near Rozier's Creek, on the night of the 17th Inst., and found about 115 men under arms; many had been discharged for want of arms in both Battalions. On the 18th we were informed that a barge was entering Rozier's Creek, and upon moving to the Shore found several just in sight, and two Brigs so close as to throw their shot a mile or two on land, but the appearance of the Militia prevented them from landing if they had any such intention.

On to-day our videts gave information that several Barges were making for Monroe's or Mattox creek, and one or more for Rozier's. As the King George militia were near the latter place, and my force was too small to divide, I determined to move upon Mattox, near Mr. Miller's house. On arriving there, I found a small schooner close under land flying from the Enemy's barges, and having reason to believe their object was to plunder a large house on the other side of the Creek here. perhaps 300 or 400 yards wide, I instantly determined to cross the detachment in the schooner which I stopped. Only one company could be crossed over at a time, and the first was the light Infantry, under Capt. Henry Hungerford, who was directed, without waiting for the others, to proceed to the destined point. Before the others could embark, three Barges full of men was distant not more than a quarter of a mile, and making directly for the house we occupied.

As soon as they commenced firing their cannon at us, Capt. Hungerford very gallantly made his attack, and after a short engagement succeeded in beating the Enemy off and preventing their landing. He lost not a man, whilst an officer and several men were seen to fall on the other side.

Our militia, of whom there were less than 40 engaged, not content

om the bank of the creek, ran many of them into the marsh
o get a shot regardless of the cannon or musketry of the
e cannon shot directed at us passed harmless over our heads.
ere is extremely small, and hitherto I have not been able
ore, although I have sent two expresses to Col. McDowell
ol. Smith. I expect some force from Richmond County.
ave two Frigates, 2 Brigs, and 2 Tenders off the upper part
y, and from 9 to 13 sail off the lower.

1813.
July 19,
Westmore-
land

movements you will see by the enclosed. We want guns
ition, and Cartridge Boxes that will keep it dry. If I had
nted Riflemen I would have taken the barges or they would
ost of their men; but I have none, and no cavalry. The
nen suffer extremely for want of Tents.

night and day been exposed to the weather upon the *open*
his state of things must continue as long as the Enemy re-
hich at present promises to be a considerable time.

I am, &c.

all fix my quarters at Westmoreland C't House for the con-
protecting every part of the County, but shall be present
ere is a danger of the Enemy's landing.

KINSALE, 6 o'clock P. M., July 19, 1813.

-I have this moment heard of your arrival in the County,
o inform you that in addition to the numerous fleet of the
dy in the Potomac, this evening seven sail have gone up
o of which appear to be ships of the Line, 3 Frigates, one
chooner.

apt. Brown's Company in Mechodic neck, stationed at
ghts, at Ragged Point Neck. A detachment from the Rifle
chens, under Lt. Murphy, and another from the Artillery at
under Capt. Middleton; the remainder of these Companies
ace, commanded by Capt. Cox and Lieut. Wright.

/ I intend to reconnoitre in person the several stations on
ould nothing turn out to prevent it.

will give you an account of everything going on with us.

I am very Respectfully,

Yours,

JOHN TURERVILLE,
2nd Batt'n, 111 Reg't.

1813. City of Richmond—to-wit :

This day appeared before me, the Recorder of the said City, William Neal, resident of said City, who, being duly sworn on the Holy Evangelists of Almighty God, doth depose and say, That about four or five weeks past, having had some law business as the agent of a third party, with Henry Hiort, counsellor of Law in this city, the said Hiort called upon the Deponent at his house. The said Hiort asked the Deponent, in the course of conversation, whether he had any Letters to send to England, adding that if he had he (the said Hiort) was a school-fellow of Admiral Cockburn, to whom he could send any Letters, as he (the said Hiort) knew that Letters and newspapers were daily sent to the said Cockburn. The Deponent waved the subject.

That the Deponent subsequently mentioned the above conversation to Major Hugh Davis, of said city, who (the Deponent understands) communicated it to another gentleman of this city. That a few days afterwards the last-named person called the Deponent out of the ranks, where he was serving on militia duty, and in the course of conversation, advised him to draw the said Hiort on and extract from him all that the said Deponent could obtain.

That on a subsequent day the said Hiort called upon the Deponent in regard to the Law business in which he was concerned. On which occasion the said Hiort informed the Deponent that he knew of a correspondence of Negroes being carried on at Rocketts, and that there were many implements making by the Negro Blacksmiths of said city, and that in the course of the said conversation the said Hiort again mentioned his having been at school with Admiral Cockburn, at which time the said Hiort said that Cockburn had put gunpowder upon one of the said Hiort's hands, and blew it up so as to take out a piece of flesh, the marks of which are yet to be seen on Hiort's hands.

That on the evening of Thursday last (the 15th Inst.), the Deponent called at said Hiort's Lodgings on the said Law business, but was informed that the said Hiort was out. That he called on the next morning (the 16th), when a gentleman in the house told him that the said Hiort had not returned since the preceding afternoon, and that, moreover, he had been out for the ten preceding nights in succession. That the Deponent then enquired of her whether she could give him any information about the place the said Hiort then was, and that she replied it was likely the Deponent might find him at a certain Mrs. Banks's, on the hill back of Rocketts; that actuated by suspicion drawn from a chain of circumstances, the Deponent was induced to go to Mrs. Banks's in search of said Hiort; that on his arrival at the premises he found the said Hiort was there, and along with him two or three other men whom the said Deponent has since discovered from said Hiort, to be Englishmen; that by him the Deponent was also told there had been nightly meetings

a number of nights regularly by the said parties; and that these meetings would continue for a fortnight to come, after which one of the said company was going to England; that the said Hiort had a great deal of writing to do in the said House, for which he received four shillings and sixpence per hour, and that the said Hiort added that the papers so written were deposited in the House of the said Mrs. Banks.

1813.

The Deponent adds to the above that in the second above-named conversation with said Hiort, he (Hiort) told him that on the day of the alarm in this city, on account of the British being off Sandy Point when he (Hiort) returned to his own house, the above-mentioned Gentlemen called him a Tory in the presence of a Negro man, who observed to Hiort, in the absence of the Gentlemen, she called him Tory? "We'll soon set them to rights when we get our Company out."

And further the Deponent saith not.

THOMAS RITCHIE, Recorder.

July 19th, 1813.

GEO. FRENCH (MAYOR) TO THE GOVERNOR.

In the name of the Aldermen and Common Council, and I believe I may say all the citizens of Fredericksburg, I thank you for the prompt attention paid to our communication by Express last week. The troops detached from Richmond for our relief, marched with a celerity highly honorable to them, and reached this place, covered with dust, about 9 o'clock on Saturday night.

July 20,
Fredericks-
burg

These, added to a fine corps of Riflemen from Frederick and Shenandoah, together with the Militia of the Northern Neck and this Town, on whom we calculate to serve as volunteers (the Colonel of the County having refused to call out the militia unless the County is invaded), furnishes a ground of confidence which has removed all fears even from the most timid.

The last authentic account we had of the Enemy were that there were two Frigates, two Brigs, and two Tenders up as high as the mouth of Rozier's creek, and appeared to be engaged in carefully sounding the river and fixing buoys. Several heavy ships were lying below Braxton's Land. The report of last night was that the former had ascended the river as high as Mathier's point. If so, it is probable they will be opposed at this place to-day, but we have no fear of them. They will be met by twelve hundred men in whom we confide, especially in such a country where the Enemy will have to pass if they attempt to approach this place; indeed, we confidently trust that if they make the attempt and get three miles from their boats, they never can return.

Enclosed is a memorandum of Mr. Wm. Smocks offering to furnish 100 Cartridge Boxes with belts complete at 135 cents. If the Executive

1813.
July 20,
Fredericks-
burg

think proper to take them at that price they will please write to Mr. Smock at this place.

Mr. Anthony Buck, of this place, who is a Commissary for the United States Troops at this place, is willing to furnish rations and to act as commissary to the troops assembled on the Potomac. If the Executive think proper to have such an officer here, Mr. Buck is well qualified to discharge its duties and worthy the confidence of the State.

Should Blankets be wanting, I have this day ascertained that there are between 2 and 3000 that could be obtained in this place. Captain Hamilton, of this county, has just come in and tendered the services of his company of militia as volunteers in case they should be wanted. They are ordered to hold themselves in readiness to march at a moment's warning. Mr. Stark has this moment arrived from Mattox creek, and reports that two Barges full of men landed yesterday at that place, and plundered the houses of Mr. Ashton and Mr. Pain of all their provisions, such as Bacon, &c. They then put off for Mr. Hipkins, on the opposite side of the Creek. The militia, who by this time had gathered, crossed above them and fired on their Barges. One man was seen to fall overboard, and it is supposed several others were killed and wounded. The Barges immediately retired to their ships.

Their advanced ships have descended the River below Blackston's Island, and were this morning seen at anchor with their large ships. The general opinion is that they are gone down for the purpose of bringing up their smaller vessels, as their Frigates were seen to ground frequently in attempting to beat up.

I am, &c.

.ROB'T B. TAYLOR (B. G.) TO THE GOVERNOR.

July 25,
George
Town

I had hoped to have been in Richmond ere this to have arranged with your Excellency the measures for replacing the troops whose term of service will soon expire, and also those for the general system of defence of the frontier. I have lost no time in imparting my views and objections to the Secretary of War, who has hitherto not been able to give me his orders. When I shall learn the wishes of the General Government, no time will be lost in carrying them into effect.

I am, &c.

JAS. McDOWELL (LT.-COL.) TO THE GOVERNOR.

July 25,
Westmore-
land

I have the honor to communicate to you the following detail of our movements since we left the Camp at Richmond:

1813.
July 25,
Westmore-
land

y detachment arrived at Fredericksburg on the 17th Inst. From
ce we proceeded on monday morning to Potomac creek, to which
t I ordered the detachment from Shenandoah and Frederick, con-
ng of 182 rank and file. On that day, 19th Inst., I detailed for duty,
accompanied them, Capt. Hoffinan and Lieut. Culton, with 50
nted Riflemen, Capt. Tucker, Lieut. Lauk and 25 Troopers. We
antly proceeded down the River to view the Country and reconnoitre
Enemy. The party went on by King George Court House. I, ac-
panied by Capt. John W. Green and two of your zealous and
riotic citizens, General John Preston and Capt. Andrew Stephenson,
ceeded on the River road, passing Chotank neck, to Capt. John W.
art's quarters at Thornton house, on Society hill, in King George
nty.

The 20th Inst. we discovered two Frigates, two Brigs, and two Tenders
ting under way from the Kettle-bottom Shoals off the mouth of Rozier's
ek. They dropped down to Blackstone's Island twelve or fifteen miles
lanchored with others of the Squadron that were anchored there.
e larger Ships lying below and off the mouth of lower Machodic creek,
king a total of about Twenty-one sail.

On the day of my arrival at society hill (19th Inst.), three barges from
ships that lay off Rozier's Creek came up Mattox Creek and burnt a
all boat, and were ascending the Creek in pursuit of another of larger
. Their progress was arrested by a fire from Capt. Hungerford's
pany, whose position was directed by Col. Parker, a communication
which was made by him to the deputy Adjutant Gen'l to which I
r you. My reconnoitering party being united at Mattox bridge, were
e informed that a considerable force in fourteen Barges had landed
ollis's Marsh, nearly opposite Blackston's Island. We received this
lligence at 5 o'clock p. m. from a videt. To that point we hastened
all expedition, and arrived within ten miles. On the 21st Inst. we
e advised by videts that a force of three hundred or upwards had the
ing before come on Shore, moved into the Country about half a mile
remained about an hour.

a a Bay called Cole Harbour, formed by Hollis's marsh, two of the
ges pursued and burnt a vessel loaded with Tanners' bark, and that
at the whole returned to their ships.

his shore is in perpetual alarm from these marauders, and we are har-
ed by their reports and fears attempting to gain some position to
ek them which has yet been fruitless.

he threatning movement at Hollis's Marsh induced me to order down
a Potomac Creek the whole of the detachment under my command,
a Capt. Green's Company stationed at that place. The mounted men
ed me in a day and a half from the date of my order, at Stratford
se, a distance of 45 miles. The Infantry were ordered by King George
rt House, there to wait further orders.

1813.
July 25,
Westmore-
land

The movement of the Enemy for the last four days has been so varient that I find it difficult to conjecture what their designs are; sometimes running with their Barges and standing over with their ships to the Maryland shore, at others threatning ours by standing in with their ships (Tenders and light Frigates) as close as they can get.

If they have formed any great plan upon the Potomac it must be upon the City of Washington and Fredericksburg, or to form strong Military posts on that River and Rappahannock, command the peninsula below and ravaging the Country. Many points on these Rivers are naturally strong, particularly on the Potomac at Hollis's Marsh and Chantille heights, from which to the nearest part of Rappahannock is 9 miles only. The conduct of that part of the Squadron that ascended the Potomac to Rozier's creek in sounding the Channel and placing in buoys together with the care and labor with which it was done and time spent, seemed to demonstrate clearly that their object was to ascend that river; but their delay and present situation of the whole squadron now below Blackstone's Island off Ragged Point, induces a belief that they have abandoned that project: 1st, because their buoys were left unguarded; 2nd, that their position at present is more favorable for the latter project, and the most so of any they could occupy; the distance across to the Rappahannock being as short, and more level than from any point above terminating at a point on the last named river, that shipping of considerable size could aid their operations. These considerations, with the imposing appearance of the Enemy's force, determined me to organize the Regiment, the details and disposition of which you have accompanying. This step I considered due to the feelings of the Inhabitants and service of the Country. It does not increase the expense to the Commonwealth but has a contrary effect. I found the Militia of King George and Westmoreland embodied to repel invasion with troops from the neighboring counties called to their aid, a part of all have and will be discharged in a few days unless the intentions of the Enemy are by their movements more clearly developed. The Troops embodied in these counties are of that kind that for the present not much can be expected from them, and indeed that is the case with the whole force here except Capt. Green's company, which is well disciplined.

It is decidedly my opinion that expert Rifle-men of the description about to be organized at the Camp at Richmond for my command, would be most effectual against the incursions of the Enemy.

I beg leave to suggest that a greater number of field officers are necessary to the command of this and every other Regiment acting on an extensive coast where the command is necessarily divided and subdivided for the protection of the whole. If you approve this idea and order that the remainder of my Regiment, by this time organized at the Camp at Richmond, join me, Col. Rich'd E. Parker, who is well

ainted with the country, and who is now in service, would be a valuable and useful officer.

1813.
July 25,
Westmoreland

Major Jones and the detachment under his command would be an aptable force to me, if you choose to give them this direction.

From the very slight observation I have been able to make of the entry and shores of the river, I am strongly inclined to conjecture that cavalry is the least effective force. High banks, intersected with deep ravines, creeks that require boats to pass, and hills covered with thick woods and close undergrowth, render it almost impossible for this kind of force to act.

I am, &c.

P. S. This moment a videt communicates that the enemy's Squadron remain in the same position they did off Ragged point, but that information had been received from prisoners yesterday set on shore, that every preparation had been made on board for sailing, and that Annapolis was their destination. This information is given by Capt. McCobb, yesterday released from captivity.

Since commencing the above, I have conversed with Capt. McCobb. He states he was a captive, and released yesterday on parole; that he knows nothing of the Enemy's destination, but believes they intend shortly to leave the Potomac.

I am, &c.

JAMES McDOWELL (LIEUT. COMDT.) TO THE GOVERNOR.

I have this moment received information from a videt of intelligence that the British Squadron making a total of about 30 Sail, got under way this morning and bent their course down the river. When he left this station they were out of sight, and standing out eight or ten miles below their anchorage of last night.

July 25,
Westmoreland
half past 12 P. M.

I have ordered videts to Lynche's point, from which their course either up or down the Bay can be discovered.

Any intelligence I may be able to obtain of their destination will be communicated by Express.

I am strongly impressed with the belief that their destination is Norfolk, and that their great effort will be made at that point.

I am, &c.

N. B. The express with this is ordered to overtake the one dispatched this morning, so that the first will be the bearer of both.

1813.

Organization of a Reg't for the defence of the shores of the Potomac, July 23rd, 1813.

Of the detachment from Richmond, under Col. McDowell:

Mounted Riflemen, Hoffman and Baldwin,	131
Cavalry, Capts. Tucker, Sandford and Smith,	135
Frederick and Shenandoah Riflemen,	182
	<hr/>
	448
To which I have added from Westmoreland Co. 2 companies musket men,	128
One Company of Musket men from Richmond Co.,	64
One Company of Cavalry, King George Co., Capt. John G. Stuart,	47
	<hr/>
	687
Capt. John W. Green's Company now in service,	60
	<hr/>
	747

This force has been divided as follows, with Col. Rich'd E. Parker:

Capt. Hoffman's comp'y,	67	rank	and	file.
Capt. Sandford's Troop,	54	"		"
Capt. Smith's "	45	"		"
One Company of Musket men				
from Westmoreland,	64	"		"
One comp'y Do. Richmond,	64	"		"

294 Total privates and non-comm'd officer, captains, and subalterns complete for the above comp'ys.

The detachment to be commanded by Col. Richard E. Parker and Major John Turberville, field officers.

This detachment leaves for my command 453 privates and non-commissioned officers, a full complement of company officers, to which I have added Major Wm. Nelson, of Westmoreland.

The following disposition has been made of Col. Parker's detachment:

30 Infantry of the Line, 10 cavalry videts—40; to be stationed at King Copeico.

15 Infantry of the Line, 5 cavalry videts—20; Do. Ragged Point.

15 Infantry of the Line, 5 Cavalry videts—20; Do. Piccatone house.

20 Infantry of the Line, 6 Cavalry videts—26; Do. Lynch's Point.

Embracing a distance of 25 miles along the shore downwards from King Copeico. These piquet guards to be relieved every third day from Col. Parker's reserve, stationed at a place called the Hague, where the troops are to be trained.

The detachment immediately under my command, stationed at or near Mattox church, consisting of 453 non-comm'd officers and privates, will apply the following points with picquet guards—viz.:

1813.

60 Infantry of the Line, 10 Cavalry videts—70; Chotank Neck, under Capt. J. W. Green.

30 Infantry of the Line, 6 Cavalry videts—36; at Mattox creek.

15 Infantry of the Line, 5 Cavalry videts—20; at Haywood, Mrs. Washington's seat.

19 Infantry of the Line, 6 Cavalry videts—25; Stratford Mill.

30 Infantry of the Line, 6 Cavalry videts—36; Hollis's Marsh.

Embracing a distance of 40 miles, to be relieved every third day, except as to Capt. Green's Company, who relieve themselves and obtain their own supplies; this arrangement will guard the whole distance of 65 miles, occupying the important points with guards, who in many instances can co-operate, and who can, to considerable extent, be supported from the reserve.

JAMES McDOWELL,
Lieut. Col. Comd't.

NATHANIEL FRIEND (CHAIRMAN), ROBT. W. BIRCHETE, ROBT. BOLLING, WM. ROBERTSON, JR., EDWD. PEGRAM, WM. PRENTIS, COMMITTEE TO WM. W. HENING, ESQ., (DEP. ADJT. GEN'L).

The Committee of Vigilance of the Town of Petersburg, take the liberty to transmit to you and through you to the Executive of Virginia, the enclosed report from the Officers of Fort Powhatan.

July 26,
Petersburg

This Report was made to the Committee in consequence of a letter addressed by the Committee on Thursday last to Col. Selden, and through him to the officers of the Fort. Col. Selden being absent from home on indisposition, the letter was promptly attended to by the officers.

We also take the liberty to enclose a letter addressed to the committee by Mr. Richard Bate, who went to the Fort and was the bearer of the letter of the committee to Col. Selden.

We join the officers in opinion that Mr. Richard Bate could be usefully employed in the work. He is not a man of military science, indeed there are none among us who are so, but in the department in which he could act in effecting the necessary improvements at the Fort, we have no doubt that he would discharge his duty with much zeal, activity and industry.

We beg leave to add that the Fort has sustained considerable injury in consequence of the late rains, and will sustain further and more serious injury if not immediately attended to.

We are, &c.

1813.
July 26,
Petersburg

At a meeting of the Committee of Vigilance of the Town of Petersburg, at Naustedler's Tavern, Monday the 28th of June, 1813. Present: William Bowden, Mayor of the Town, Robert Birchett, Nathaniel Friend, William Robertson, William Prentis.

The Committee appointed by the Siegnier Volunteers for the purpose of visiting Fort Powhatan at Hoods, report that they have in part performed the duties assigned them. That they have had a personal interview with their fellow citizen Major James Williams, the commanding officer of that Fort; that Major Williams expresses great uneasiness in his present situation; but that on being properly supported and well supplied, and the Fort placed in an adequate state of defence, that he will not only be able to repel any probable attack on the Fort, but that he can support it against any probable force not exceeding 5,000 men.

Resolved, that Robert Bolling be added to the Committee in the room of Mordecai Barbour, removed from the Town.

Resolved, that William Bowden, Robert Bolling, and William Robertson, be a committee to wait on the Executive of Virginia, and if necessary, on the constituted authorities of the city of Richmond, on the subject of the Fort called Powhatan, and represent to them the importance of that Fort to the protection of the Town of Petersburg and the city of Richmond, and the necessity of placing that Fort in an adequate state of defence.

Resolved, that Nathaniel Friend, Edward Pegram, and William Prentis, be a committee to wait on Major Wilder, the Commanding officer of the militia of Petersburg, soliciting his early attention to the militia of the Town in placing them in a prompt and adequate preparation to meet any event, and in furnishing them with all the prepared ammunition within the town subject to his controul, or the controul of the Commanding Officer of the 39th Regiment.

Adjourned to Wednesday, 12 o'clock.

NATH'L FRIEND.

A true copy.

WILLIAM PRENTIS.

PETERSBURG, 24 July, 1813.

GENTLEMEN,—Agreeably to your request, I have been down to Fort Powhatan, as well for the purpose of obtaining the Report of the officers now in command there, on the state of that Fortress (which accompanies this letter), as also to give you my opinion on the subject.

The Report of the officers, embracing all the additional works and repairs which I deem necessary for efficiency in repelling almost any assault by land or water, leaves it only for me to give you an estimate of the probable cost which will be incurred and is herewith subjoined.

completion of this very necessary Job may be effected by the
 ay of October, if immediately set about, but you must not calcu-
 a diminution of cost from an expectation that the soldiers com-
 the Garrison will contribute any portion of labour. Was it com-
 of men of the Regular Army, a principal part of the work could
 formed by them in a space of time proportionate to its strength,
 am not singular in the opinion that it will be some time before
 militia can be induced to use the Pick-Axe and Shovel.

1813.
 July 26,
 Petersburg

the work, except the Brick and Carpenters' work, I am practically
 sant with; therefore, feel no diffidence in undertaking the super-
 ence of constructing and final accomplishment of it, either in the
 ty of a Superintendent or Contractor.

I am respectfully, &c.,

R. BATE.

Estimated Cost of Work at Fort Powhatan.

ht hundred yards of Ditch and Rampart of the following dimen-
 viz.:

10 feet wide at top, 5 feet deep, 3 at bottom. Bank 10 feet	
e at bottom, 5 feet in heighth, 3 at top; the bank to be	
ed complete, from bottom to top, at \$4.50 pr. yd.,	\$3,600
ating and turfing the Hill between the upper and lower	
teries,	600
ing a covered way and steps for communicating with the	
er Battery from the upper one, of the following description,	
: The passage to be 8 feet wide, 6 ft. 6 in. high; the sides	
brick wall 4 ft. in highth, 18 inches thick; the balance of the	
yth of the passage to be sloped aud turfed. Brick steps set	
imber frames,	1,000
	<hr/>
	\$6,760

CAELVIN JONES TO THE GOVERNOR.

letter to Your Excellency on the subject of raising a Military corps
 vice in Virginia was immediately followed by intelligence of the
 on of our State, and I instantly thereupon received the orders of
 overnor to organize a force and prepare for the defence of this place.
 e just seen in the newspapers your reply to the letter I had the
 to address you. Without waiting for the original which must be
 ed on its route, I think it proper and necessary to inform you that
 and very imperious duties at this time put it out of my power to
 my original design into effect.

July 29,
 Newbern

1813.
July 29,
Newbern

I sail early to-morrow with the Governor to make a survey of some plans on our coast, and without noticing the sentiments of your letter which are in unison with every feeling of my heart, I thought it incumbent on me before my departure, to make this acknowledgment of its indirect might. Your letter has if possible rivetted my affections more closely to your cause, and I confidently hope and trust that the feeble aid which I once flattered myself with the expectation of giving, will not be necessary to your defence; but that the brilliant page of Virginia's History will be embellished with the relation of her future triumphs.

I am, &c.

JAMES McDOWELL (LIEUT.-COL. COMD'T) TO THE GOVERNOR.

July 29,
Mattox
Church

Last night Col. Parker informed me that the fleet, except 1 Seventy-four, 3 Frigates, and 5 smaller vessels had gone out of the river, and that they were supposed to have gone down the bay. As soon as I can ascertain their destination you shall be advised, and I shall move as directed by your last. In my next I will communicate the particulars relative to a flag that I sent to Admiral Warren on the subject of some negroes that were taken by his men on board the fleet. I neither demanded the property or complained of its seizure, nor did I commit myself in any way in regard to the matter. I merely by the flag afforded the individuals who had lost their slaves, an opportunity of reclaiming them, and of ascertaining the certainty and extent of their loss. Capt. Stephenson accompanied Capt. Tucker with the flag, and will hand you this. He can and will give you any details you wish to hear.

I am, &c.

STA. CRUTCHFIELD TO THE GOVERNOR.

August 2,
Hampton

Recommending Capt. Cooper for appointment as Quarter Master for the Troops at Hampton, which officer is much needed, and for which position he is peculiarly fitted.

JOHN ARMSTRONG TO THE GOVERNOR.

August 4,
War Department

We have not either in store at this place or at any other depot of arms, rifle guns for distribution to Militia. A few guns of this description were borrowed on a late occasion from the Indian Department. The number possessed by that department did not exceed Eighty. There may be Eighty more at Harper's Ferry, but they are destined for the Rifle Regiment of the United States.

I am, &c.

JNO. CHOWNING (LT.-COL. COMD'R 92ND) TO THE GOVERNOR.

I beg leave to inform you of the arrival of a British Squadron consisting of one Frigate, one Brig, and one Tender, off the mouth of Rappahannock River, on the evening of the 6th Instant, and on the morning the 7th, about ten miles up the River, captured a schooner with munitions of war for the Eastern Shore with two Ladies (passengers). On information of the capture of the Ladies on the 9th, I gave Major John F. Brokenbrough leave to proceed on board with a Flag for the purpose of obtaining permission for the Ladies to return with him. In answer to which I received information that they were forwarded the day before to the place of their destination.

1813.
August 10.
Musqueto,
Lancaster
County

There are two Gentlemen, Messrs. Temple Robins and William Treakle who were attending the Ladies on their passage, still detained on Board His Majesty's Ship Armide, lying off North Point, and beg through Major that some steps will be taken to relieve them from their disagreeable situation.

There are also three Sailors in the same situation. I beg leave further to add that on the arrival of the British fleet up the Bay about the 12th last month, I posted two small lookout Guards for the purpose of giving information of the Enemy's movement, which has continued in force ever since.

On the arrival of the Squadron before alluded to, I caused the Regiment to have the honor to command, to be convened, and are still in service. The movement of the Enemy is very suspicious. They are almost daily with their boats sounding the Rappahannock River, and different inlets on the Bay. I deem it necessary to make this application for a supply of Musket Cartridges, and six screws for the purpose of drawing Muskets, and a few grape for our field pieces. Out of the sixty rounds I received a few days ago there is only six of them grape.

Any sum of money that you might deem sufficient to defray the necessary expenses of the Regt. under my command, while in service, forwarded by Mr. Downman (the bearer), will be thankfully received.

I am, &c.

JAMES McDOWELL (LT. COL.) TO THE GOVERNOR.

If I understood your conversation to me yesterday it was that I had a selection to continue in service, to be employed in the peninsular between York and James River, or in the Commonwealth in State Employment at such places as that service would be most needed or useful; or for the present to retire from command and leave Col. Cocke in service, whose

August 10,
Camp Fair-
field

1813.
August 10,
Camp Fair-
fax

commission is younger than mine, to be employed as above on State establishment. Under yours of the 28th of June last, I came into service with an engagement in that order that the requisition from the upper country were not to be sent to Norfolk.

This was agreeable to all who were called out, as that climate and situation is considered to be (probably) more destructive to uplanders than the Enemy could be.

I confess I had a great desire to contribute my share of service in a military character in the contest in which we are engaged, and that I was well pleased that it had fallen to my lot to command a Rifle corps taken from that section of the State where their use was best understood, hoping that I might be able to manage that kind of force with good effect against the enemy and with advantage to my country. But it seems *these Riflemen are now destined for Norfolk, notwithstanding the promise held out in the order of June 28th.*

Obedience is the first duty of a soldier, and I trust that no lack of that important essential will be found in either officer or soldier now under my command. As to myself, I shall ever be obedient to the orders of my superior officers, but will never commute my rights or surrender my grade as an officer to any man on earth.

I am, &c.

August 10th, 1813.

To His Excellency the Governor of Virginia :

The undersigned Captains of the Regiment, encamped at Fairfield, have just received a proposition submitted to them through their Colonel by the honorable Executive Council. They understand that proposition in substance to be that the Captains of said Regiment shall give up their present tour of duty and return home, and that the subalterns and men shall be immediately stationed at Norfolk under the command of other officers.

The undersigned have too much respect for the Executive to believe them capable of intending to wound the feelings of the officers, or do injustice to the soldiers; and will, therefore, in submitting their sentiments concerning the views of the Executive, forbear from making any observations as to their extraordinary character. But they conceive that they would be guilty of the highest injustice to their soldiers and wanting in duty to themselves did they not respectfully and earnestly remonstrate against a course entirely unexpected, and which they humbly believe would be productive of the most injurious consequences.

The undersigned, humble in talents and confined in information, are not capable of suggesting the measures which the situation of our

ary may require. Had they even the presumption to attempt it, without arrogating to themselves more than an ordinary portion of patriotism, they beg leave to declare their perfect willingness to perform service, or obey any order which may be deemed necessary by the proper authority. But understanding that their approbation is requested of the measures proposed to be adopted, they would be wanting in candour and patriotism if they did not especially declare that those measures do not comport with their feelings, their wishes, their sentiments of propriety or justice.

1813.
August 10,
Camp Fairfield

In the late orders of your Excellency, which called the troops from the upper country into service, state a hope and expectation that their service would not be long required, and contain an express declaration that they would not be sent to Norfolk, but act as flanking parties in the upper country. The troops were requested to come mounted and armed with arms. The horses and many of the guns were not furnished at the public expense, but an appeal was made to the patriotism of the people, and without success. The undersigned hear now, with no small degree of surprise, that a new force is to be organized for the very service originally intended for the troops under their command, a force partly, but not entirely, composed of men somewhat accustomed to the climate of the lower country.

After the above-mentioned positive declaration and the great exertions which have been had by their troops to prepare themselves for performing an extraordinary service, and after part of those troops having been actually engaged in that service, the undersigned would abuse the confidence reposed in them by their men if they should give any consent which would place them in a fatal climate under strange officers. But should the Executive exercise their power of ordering the troops to Norfolk, the undersigned humbly beg leave to accompany them. It is true, they may not be equal in talents or military knowledge to the officers for whom they are to make room, and are not accustomed to the climate, but they flatter themselves that zeal and fidelity in the cause of their country will compensate for want of skill, and they solemnly declare that they would prefer death itself to a separation most painful to themselves and calculated to excite feelings of the most improper kind amongst their soldiers.

We remain, very Respectfully,

Your Excellency's most obedient and very humble servants,

Wm. Stuart, R. C. Burwell, John Gilkerson, James H. Sowers, Peter Smith, John C. Baskin, Dan'l Matthews, Joseph Hannah, Walter Ham-
burgh, Andrew Lewis, Thos. Hopkins, Dan'l Hoffman, Griffin Lamkin,
Briscoe G. Baldwin.

RICHARD FIELD TO THE GOVERNOR.

1813.
August 11,
Brunswick

Tendering the services of the Company of Brunswick Marksmen to serve without pay (rations and forage found), to continue in service as long as the danger lasts.

RICH'D E. PARKER AND JNO. TAYLOR LOMAX TO THE GOVERNOR.

August 26,
Westmore-
land

Informing of the deficiency of ammunition of all kinds and camp equipage in the counties composing the Northern Neck and the great danger of invasion in consequence. Recommending that authority be issued for musters of the Militia of those counties once a fortnight.

ROB'T BRENT (P. M. U. S. ARMY) TO THE GOVERNOR.

August 30,
Washing-
ton, D. C.

The letter which you addressed to the Sec'ty of War of the 26th inst. relative to the pay of certain Militia has been referred to me.

The District Pay Master Turner has been instructed to regard Militia as in the actual service of the United States, and to be paid out of the funds thereof, where the rolls are furnished conformably to the regulations adopted by the President, which will be found in a small book I had the honor of transmitting to the Deputy Adjutant Gen'l of Virginia, Henning, not long since, page 239, under the head of "Rules with regard to Militia Drafts."

When the Rolls are made out and certified agreeably to the rule therein laid down and the amount ascertained, it will take to make payment thereof, it will afford me great pleasure in making the necessary arrangements for that purpose. Or if the Executive deem it proper to dispense with the rule therein laid down, I will execute the duty with equal pleasure, in order to call the small pittance to be paid to those who have with so much merit left the comforts and conveniences of their own homes to encounter the risks and perils of a military life at a moment when the country required them.

I am, &c.

JAMES GREENHOW TO THE GOVERNOR.

August 31,
Richmond

I beg leave to suggest the propriety of removing the British Prisoners now in the Penitentiary.

This is the most sickly period of the year, which together with the

effects of crowding in a place of confinement, may not only increase the number of diseases, but also their malignancy.

1813.
August 31,
Richmond

There are other reasons which belong more properly to the Keeper to State.

I am, &c.

JAMES WILLIAMS (MAJOR COMDT.) TO MOSES GREEN (ADJT. GENL. OF VA).

On the 24th of July last, at the request (by letter), of the Committee of Vigilance of the Town of Petersburg, addressed to Col Miles Selden and the Commissioned Officers on duty at this Fort. A Report was made of the Actual State of its works, which Report embraced as well certain repairs and additional works deemed necessary for its efficient protection in case of assault, as also the supposed estimate of the cost which would thereby be incurred.

Sept. 1,
Fort Pow-
hatan

Having learned from the Gentlemen composing that Committee that they had communicated the same through your Department to the Governor, without receiving any answer on the subject, I deem it my official and indispensable duty to call the attention of the Commander-in-Chief to a matter of such vital importance as the security which this Fortress would yield to the upper country, particularly to the Capitol of the State and the Town of Petersburg, were it placed in that state of Defence necessary to answer the purposes intended.

Referring to that report, I have only to remark that very considerable injury has been lately sustained from the heavy Rains recently fallen in washing down the surface of the Hill between the upper and lower Battery, and that unless a stop is put to it the latter will be very soon rendered altogether useless.

At the request of myself and the Committee of Vigilance of Petersburg, Mr. Richard Bate is the bearer of this Letter, who being conversant in works of the kind, and having attentively inspected the works of the Fort, can give any information required.

I am, &c.

ROBT GREENHOW (MAYOR) TO THE LIEUTENANT-GOVERNOR.

Expressing apprehensions of insurrectionary movements among the blacks under the instigation of the British, for, and detailing his measures for preventing the same. Also advising the removal of the Powder Magazine to a place of greater security to the citizens.

Sept. 8,
Richmond

WALTER G. ANDERSON (U. S. NAVY) TO THE GOVERNOR.

1813.
Sept. 9,
Portsmouth

The superabundance of Naval Officers on this station and a desire of serving my country in the most advantageous way is the cause of my making this address.

A point is now in view wherein my services may prove of use, namely, by stopping James River channel by sinking old vessels. I therefore humbly offer you my services, hoping thereby my exertions may be of general use.

I am now under the command of Commodore Cassin. Any request by you for Naval Officers will no doubt be granted by him.

Alexander McRae, Esq'r, of Richmond, can gratify you in any inquiry concerning me.

I am, &c.

ABRAHAM BELL TO THE GOVERNOR.

Sept. 13,
Berkeley
County

Tendering the services of a company of volunteer Riflemen for a tour of duty for six months wherever ordered, on the condition of being furnished with Rifles and being commanded by the author, Capt. Bell.

ROB'T BRENT (P. M. U. S. A.) TO THE GOVERNOR.

Sept. 30,
City of
Washington

I have been honored with your letter of the 19th Inst. relative to a payment made by the State of Virginia to certain militia which you state to have been in the actual service of the United States, and which advance by the State it is expected will be refunded by the United States.

You will be pleased, Sir, to cause the account of those advances to be stated, accompanying the statement by one set of the original vouchers, which I find will be required.

Presuming, however, that Duplicates were taken by the agent of the State, one set of those Duplicates can be retained among the archives thereof.

When the statement and vouchers are transmitted, measures will be taken to have the business adjusted as early as possible, if authorized by the Secre'y of War, which I cannot doubt. It will afford me pleasure in refunding the amount.

I am, &c.

MILES SELDEN TO JAMES BYRNE (COL.)

this moment received your letter communicating the intelligence of situation and probable intentions of the enemy. Fort Powhatan is in a situation to receive cannon, but for the want of proper carriages cannot be mounted. The Governor sent down some days ago five eighteen pounders and twelve 12-pound cannon with seven carriages, which are too low for the parapet wall. I have mounted the 3 eighteen and four twelve-pound cannon on those carriages upon a temporary platform, which might afford some means of defence, provided we had men enough to use them, who understood the management of cannon. There are not, at this time, stationed at the Fort more than 50 men, about 400 lbs. of Powder, between 50 and 100 ball. If this place was well supplied with cannon and men sufficient to manage them to advantage, it could furnish a very formidable, and perhaps secure defence against the approach of the enemy. It is a strong and defenceable point, and would, properly defended, cost them very dear to pass or destroy.

1813.
October 5,
Petersburg

Some person who understands the use and management of cannon is very much wanting at that place; there is no officer there, nor am I at all acquainted with it, so that we shall, I fear, make but a feeble resistance. I feel indebted to you for the information furnished, and the offer of assistance tendered.

The latter would be extremely acceptable, especially if it was of the description suggested. I have thought for some time a formidable force could be stationed at Fort Powhatan, as the enemy will certainly make that at their first object before they advance any higher up the river, and should the force stationed at that place be compelled to retire, they could have it in their power to march to Petersburg, or even Richmond, before the army could reach either place.

I shall establish a line of videts down the river as soon as practicable, and shall communicate with Col. Allen, of Surry, and request him to extend a line of videts as low down as Shoal Bay, which will give us information of their approach in a few hours from a considerable distance below, and if you were to stretch your line to Fort Powhatan, you could receive the earliest information.

I am, &c.

Oct. 20th, 1813.

Report of Yeamans Smith, Reuben Thornton, and William Smock, Commissioners to examine five miles of the Swift Run Turnpike Road in the Town of Fredericksburg, sets forth that they have performed their duty, and find the work done agreeably to the act of the General Assembly.

Octo. 23rd, 1813.

1813. Remonstrance of the officers of the 94th Regiment of Virginia Militia against the operation of the General Orders of the 23rd of Aug., 1813, as an encroachment upon their rights and degrading to their character, is filed.

JAMES MONROE TO THE GOVERNOR.

October 23,
Department
of State

It will always give me great pleasure to have it in my power to be serviceable to the State. The expression of this sentiment, a strong one with me, excites peculiar sensibility, by the recollection of many incidents which have touched me profoundly in the course of my public life. I shall be pardoned for adverting to them.

Your last Letter relating to the claim of the Virginia State Line in our Revolutionary War for an equal portion of land with those who served on the Continental Establishment received my prompt attention. Nothing, however, could be done in the business at that time. The late session of Congress was an extraordinary one, intended for a special purpose, the provision of taxes to defray the expenses of this just and necessary War. The mind of the members was completely absorbed in the consideration of that important duty, which was happily accomplished, and as I trust and believe to the satisfaction of the Union. A basis has been laid for public credit, which will, I doubt not, produce effects abroad as well as at home that will form a proud boast, as it will be found a strong bulwark in favor of our liberties. The patient acquiescence under much heavier taxes, should they be necessary, and the promptitude with which they will be paid, will, I am satisfied, by proving the stubborn virtue and unconquerable spirit of our people, wrest from our enemies the vain hope which they have indulged that our free Government would sink under the experiment. At such a session it was impossible to engage the attention of Congress in any other important business. I conferred with several of the members of the State on that subject, who concurred with me in that opinion. It was consequently postponed for a more favorable occasion.

Your letter relating to the horrible crimes that were committed by the British Troops at Hampton, was received at a moment while this city was menaced with invasion, and I was engaged in an excursion down the River to observe the movements of the enemy. At the time when I might have acted on it, the commander of the Squadron had left Hampton Roads and ascended the Bay, having passed beyond the limit, as I supposed, of such a communication.

All the documents which I received from you, exhibiting in their just

conformity those execrable deeds, were delivered to the chairman of the committee of the House of Representatives charged with the collection of examples of British violations in this war of the rights and usages of civilized nations in War, and of the evidence supporting them to be incorporated in his Report to the House, which was attended to by him so far as it was supposed to fall within its just scope.

1813.
October 23,
Department
of State

I should have had the honor to have written to your Excellency on these subjects long since had I not promised myself the pleasure of a personal interview with you in the course of the summer, in which we might communicate fully on them. I regret to have been disappointed in this expectation. I need not add that I shall avail myself with great interest of every opportunity which may be afforded me to render any useful service to the State compatible with the duties of my present station, confident always that such only would be acceptable to the State or be desired of me by your Excellency.

I am, &c.

BURR POWELL (PREST. B'D DIRECTORS) TO THE GOVERNOR.

Asking the appointment of commissioners to examine the first five miles of the Ashby's Gap Turnpike west of its commencement, to determine if the same have been constructed according to the Act of Assembly of the 30th of Jan'y, 1810.

Nov. 6,
Middelburg

JOHN TURBERVILLE TO W. HENING (DEP. ADJ'T GEN'L).

I enclose you two Letters, the one Marked A from myself to the commander of his Majesty's Naval forces in the Potomac, granting the privilege of a Flag to certain individuals residing in this County, where negroes had gone on board the Fleet in that river, and the other marked B, from Captain Middleton, the Flag officer, to me communicating the result of his mission. I am extremely sorry to make known to his Excellency the Governor that upwards of one hundred negroes have effected their escape since the arrival of this small Squadron in our waters from this County and Northumberland, owing principally to the neglect of those whose duty it was in securing the boats, canoes, &c., on the Northumberland Shore of the Yeocomico.

Nov. 8,
Piscataway

At the earliest moment every precaution was manifested on my part, and no exertion was omitted in guarding every port and securing every vessel whereby an escape might be made, and those who have sustained losses within the limits of my command, preferred generally guarding their own boats themselves. The persons named in the letter A are all

1813.
Nov. 8,
Picaton

who have, as yet, been sufferers; their total loss amounts to about 30 of different ages and sexes. There now only remains the Dragon and her Tenders in sight, the Brigs having gone down the Bay yesterday.

My force in service consists of two companies of Infantry from the 2nd and one company of Artillery from the 1st Batt.—in all amounting to about 120 men.

I shall convey by express to his Excellency, the commander-in-chief, all information necessary to be made known.

I am, &c.

(A.)

WESTMORELAND, Nov. 4th, 1813.

DEAR SIR:

It has been represented to me that a number of negroes, the property of Peter P. Cox, Esqr., Geo. Whitlock, Wm. C. Chandler, Benedict Wright and Dr. Walter Jones, have made an escape from their owners and have gone on board the Squadron under your command. Now to the end that those *individuals*, whose names are hereby made known to you may identify their property, and reclaim it according to the established usage of his Majesty's government during the war, I have granted them the privilege of a flag, and Captain Middleton (of the Artillery), will be bearer thereof, accompanied by William Atwell, Daniel Mealey, in the room of Peter P. Cox, Esqr., and Benedict Wright and Col. Alex'r Barker late of the U. S. Army, in behalf of Wm. Chandler, George Whitlock and Dr. Walter Jones.

I am, &c.

JNO. TURBERVILLE

The Commander of his Britanic Majesty's forces in the Potomac.

(B.)

SANDY POINT, 6th Nov., 1813.

SIR,—Conformably to instructions, I yesterday proceeded with those persons named in your letter, with the flag to go on board his Majesty's Ship, which I learned to be the Dragon, of 74 Guns, commanded by Capt. Barrie, lying off St. George's Island, to whom my dispatches were immediately forwarded by the Senior Officer on board. Permission was granted the gentlemen accompanying the flag to see their negroes and take home all such as were willing to return, but none appeared to have a disposition, all of we saw the whole of them.

We were treated very politely and remained on board the ship several hours.

I am, Yours Respectfully,

WILLIAM MIDDLETON, Capt. Artillery.

Major Genl. Turner, H. C. of the 2d Regt. 1st Regt.

JAMES FAULKNER TO THE GOVERNOR.

ing the pleasure of seeing your Excellency on my return to
from Norfolk, I now take the liberty of addressing you on the
the Horses that were impressed to convey the cannon to Rich-
Norfolk.

1813.
Nov. 11,
Martinsburg

in my possession a Muster Roll of the Horses regularly signed
pector and proper officers, which was produced to the Quarter
meneral at Norfolk for pay. He observed that he would pay for
ces if an order was made at Head Quarters to that effect. This
d, upon what grounds I know not. I then produced the mus-
the Council of State, who refused to act, and observed that it
id before Congress. Those Horses were impressed by a special
e State. They were ordered to Norfolk by orders from the
and continued in service by orders from Gen'l Taylor. Your
will readily perceive the injury that results from such pro-
both in regard to the citizen and the contest we are now engaged
l knows there is unfortunately too many among us disposed to
y obstacle in the way to disorganize the army, and render the
ular. Therefore I hope your Excellency will take into con-
the peculiar hardship of the claimants, and inform me when
they will receive compensation for the services of their Horses.
ake the liberty of stating to you the bad effects the present
nts for the organization of the army has upon the most impor-
of it. The Artillery properly Manned is the most important
rfolk Station, and let the Enemy make their attack either by
ter, unless there is material alterations made in that Depart-
must succeed. When I left that place there were but two
s in the service that were enrolled as Artillerists, and they had
d, and two companies more who were detailed from the Infan-
line; these were all the troops who came under the Denomi-
Artillerists for the defence of Norfolk and Craney Island.
een a cause of complaint for some time with me that the force
means adequate to the number of Guns mounted, and when
e was handed to Headquarters, the common reply no more
ad, or that when the exigency of the case required it, they will
l from the Infantry; that the Infantry and their Officers will
ood Artillerists as those who have been organized as such with-
ce. That I deny and appeal to your Excellency or any person
t on Military affairs, even if their talents were equal, for there
prit du Corps in all Troops and particularly the Militia which
those excel that consider it in the line of their duty.
pectable force of Artillerists is ordered out, or such as an officer
et to render a service to the country and not bring disgrace on

1813. himself, I am at your Excellency's call at any time you may think
 Nov. 11, proper that my services are necessary.
 Martinsburg

I am, &c.

WILLIAM WIRT (CAPT. RICHMD. FLYING ARTILLERY) TO THE GOV
 ERNOR.

Nov. 13, It is indispensable for the guidance of my future conduct as the com-
 Richmond manding Officer of the Richmond Flying Artillery, to have a distinct
 understanding with the Executive on certain points which I beg leave
 now to submit.

This corps, when raised last summer, was understood by me and the
 men under my command to have flowed from the wish of the Execu-
 tive—not, indeed, formally expressed—and to be destined as an auxilliary
 arm for the defence of the Metropolis and its vicinity. Westover was
 named as a point on the sphere of its action. The men were immedi-
 ately put in training, and an advice of counsel authorized me to equip
 the corps in such a manner as to give to it the fullest effect. This I have
 endeavored to obey according to the best of my judgment and the means
 which this place afforded. Four six-pounders, together with all the im-
 plements, have been mounted and completed, as also four caissons—
 light ammunition carriages, on Toupard's plan, to accompany the pieces
 in their movements from point to point and supply them in action. The
 Howitzers, which were much to be desired, were not to be had. Among
 other improvements in the use of Flying Artillery the old method of
 carrying the men on the caissons, Gun carriages, and draught horses has
 been universally exploded both in Europe and America. The men are
 mounted on horses, armed with sabres and pistols, and occasionally per-
 form the duties of cavalry both in masking the movements of the guns
 and repelling the assaults of hostile cavalry. Hence it becomes nec-
 essary to train the men to the proper use of their horses not only in man-
 oeuvring and assault, but also to instruct them in the mode of arranging the
 horses when dismounted to form battery for action, and in mounting
 pursuing, and forming around their pieces, either on advance, change
 position, or retreat. This a species of discipline no otherwise to be
 gained than by the use of horses; and as the company had been formed
 under an understanding that horses would be furnished for their use at
 the public expense (the men themselves, or the greater part of them, not
 having horses), I had the honor of addressing a letter to you on the 22^d
 of September through the Deputy Adjutant-General, stating the nec-
 essity of horses to discipline the corps under my command and praying
 for instructions as to the mode of procuring them. In reply to which
 the Deputy Adjutant states that “with respect to horses, it is propos-

that you make some arrangement for procuring them by hire." In consequence of which, horses have been hired for several musters, amounting to a sum about \$120—as stated by the Lieutenant who, during my absence and confinement by indisposition, commanded on those occasions. On this subject I beg to be informed whether I am authorized to draw for the past horse hire; as also whether the authority to procure horses for the disciplining of the corps is to be understood by me as continued?

1813.
Nov. 13,
Richmond

There is another subject of serious consequence to this corps, as well as to the public interest in the property committed to their care. Much of the equipment of the corps is composed of Articles not only liable to great injury from exposure to the weather, but very easily destroyed by any designing person so as to render the whole corps entirely ineffective, as you will perceive by a description of the articles hereto annexed.

The only shelter as yet provided for these equipments is an old wooden shell of a house, a mere shed affording no security adequate to so interesting an object. I submit it to the Executive whether sixty feet of the stone warehouse, belonging to the publick, can be more advantageously employed than in the preservation of these expensive and highly important accoutrements.

It will be perceived by the annexed list that pillions (substitutes for saddles) for mounting the matrosses have been made at the Penitentiary. Will there be any objection to having an equal number of cheap bridles made at the same place?

I am, &c.

List referred to in the above letter to show the liability of the Articles to injury from weather and destruction by mischievous persons: 4 Guns, mounted complete, implements, amongst others, haversacks, pouches, belt sponges, slow match, &c., &c.

There being 4 horses to each gun-carriage and caisson, there are 32 sets of harness complete, 40 Bricoles—composed of leather, belt, and rope (substitute for the drop rope exploded in Fly'g Artillery)—4 Prolonges, chief material Rope, 80 leather pillions (Fly'g Artillery Saddles) for mounted troops.

Besides, which there are the ram-rods, scoops, sponges, lin-stocks, port fire-stocks, &c., &c., from their form and nature very easily so injured as to be rendered useless.

M. J. FREELAND TO WM. W. HENING.

I have had a meeting of the Light Infantry of the 100th Regiment and 2nd Battalion under my command, and they are anxious to be called into service this winter if there are men wanting. I am at your

Nov. 17,
Bent Creek

1813.
Nov. 17,
Bent Creek

service at all times, and should be glad to get orders to march by the 25th of next month. I also wish you to inform me in the event of my being called for, if the men from this country, now in requisition, would not be allowed to go with me if they thought proper.

I am, &c.

WM. B. GILES TO THE GOVERNOR.

Nov. 20

The letter of the 8th of June last, which you did me the honor to put under cover to me, addressed to the Senators and Representatives of Virginia in Congress, with its accompanyments, was duly received, and its contents most respectfully considered.

I lost no time after its receipt in calling a meeting of the Gentlemen to whom it was addressed, and laying the letter before them with the accompanying documents.

After due consideration of the subjects to which the papers referred, I was requested by the meeting to name three Gentlemen of the House of Representatives, who were requested in conjunction with myself, to call on the Secretary for the department of war, and make such representations to him on the part of the State of Virginia as the occasion appeared to require; and to advise with him as to the course most proper to be pursued to effect the object the State had in view, which appeared to the meeting in all respects both just and equitable.

Accordingly I nominated the honorable Messrs. Nelson, Breckenridge, and Jackson, for the purpose aforesaid, and arranged a time and place with the honorable Secretary for carrying into effect the object of the meeting. These Gentlemen and myself accordingly did call on him, and after mutual explanations, it was agreed, as I understood, both on his and our part, that the principle contained in the first section of the enclosed copy of a bill which was afterwards reported to the Senate by a committee of that body, should form the rule for adjusting the accounts between the United States and the individual States, for all expenses incurred in calling forth the Militia of the individual States by the Executive authorities thereof respectively, for the service of the United States.

On the 22nd of June following, the bill passed the Senate unanimously to the best of my recollection, without any other discussion than a plain and full statement of its principles and objects by the Chairman of the committee who reported it. The provisions of this bill, I then thought and still hope, would answer all the objects your Excellency had in view in making the communication to the Representatives of Virginia.

After the unanimous sanction given to the principles of this bill by the Senate, it was confidently expected by its friends that they would be equally acceptable to the House of Representatives. But after some

1813.
Nov. 20

considerable delay had been experienced in the proceedings of a Committee of that honorable body, to whom the bill had been referred, and, being informed that some indisposition to reporting the bill had been manifested by the committee, I took the liberty of calling on the chairman of that Committee for information in that respect, and had the mortification to learn from him that serious objections had been made to the principles of the bill, and doubts were entertained of its ultimate fate in the House of Representatives. I was also surprised at receiving from the honorable chairman some general intimations that the provisions of the bill were not altogether acceptable to the War Department, particularly at that time. I was the more surprised at these intimations, because I certainly understood the honorable Secretary as yielding his assent at least to the principles of the first section of the bill, as I presume all the other Gentlemen did who were associated with me in conferring with him on the occasion. The other sections of the bill were of subordinate importance, and would have been readily dispensed with by its friends if the object of the first section could have been obtained. I think it not improbable that the war department was at that time laboring under some unusual restraints in its disbursements which might have had some influence on these transactions. These, if they existed at all, I hope were of a temporary nature, and that they either have been removed, or will be removed, before the end of the next session of Congress. The honorable chairman of the committee, however, after hearing the considerations, urged on my part in favor of the bill, agreed to report it, and submit to the House the ultimate decision upon it. The report of the Committee was not taken up until the 31st of July, when the bill was left in an undecided state, and remained so until the rising of Congress, which took place on the 2nd of August following: Sunday being the intervening day. I should have made this communication at an earlier day, Sir, had not the business continued undecided until the rising of Congress, and since that period I have been unable, until very recently, to possess myself of the journals of the two Houses, and the enclosed copy of the bill to which I have now referred for facts and dates, and at this time I have been thus particular in my representations, as well because I wished to afford your Excellency and the General Assembly the best means of judging of the prospects of passing the bill during the approaching session of Congress, as because I knew the solicitude your Excellency felt and the just expectations of the General Assembly on the occasion. I cannot conclude this letter without assuring you, Sir, that I derived the highest gratification from observing the dignified, liberal, and correct views of the claims of the State which your Excellency presented to the honorable Secretary for the department of War, and of the very able and lucid arguments employed by Messrs. Mercer and Campbell concerning them, and it is but justice to those

1813.
Nov. 20

Gentlemen to observe that if any discussion had been found necessary before the Senate, I should have derived very great aid from their representations in relation to the subject with which your Excellency had the goodness to favor the Representatives of Virginia.

I am, &c.

AN ACT

To amend the act entitled "an act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions, and to repeal the act now in force for those purposes."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the militia, or any part thereof, shall be called forth by the legal Authority of any State or Territory within the United States to repel invasion, the President of the United States, on receiving from the Executive of such State or Territory information thereof, and of the number of officers, non-commissioned officers, musicians, and privates (so called forth), may, if he should deem it proper, consider them in the service of the United States from the time of being called forth.

Sec. 2. And be it further enacted, that the militia of any State or Territory shall, while in the actual service of the United States, be furnished with ammunition and flints by any officer of the United States who may have such under his care, on the requisition of the commanding officer of such militia, and in case there should be no officer of the United States in the vicinity having under his care such articles, then the commanding officer of such militia may cause the same to be purchased on the most reasonable terms, and his certificate shall be a voucher sufficient to authorize the commissary General of purchases or his deputy, in the State or Territory to which such militia may belong, to pay the cost thereof. And it shall be the duty of the officer commanding such militia, on being discharged from the service of the United States, to deliver all the ammunition and flints which had not been expended, to the officer by whom the same had been furnished, or to any other officer of the United States who may be authorized to receive them; and if the same had been purchased, to take under his care all that had not been expended, and report the amount of the several articles to the Secretary of War of the United States, who may order the same to be delivered to any officer of the United States authorized to receive the same.

Sec. 3. And be it further enacted, That this act be and continue in force during the continuance of the present war between the Unit

States of America and their Territories and the United Kingdom of Great Britain and Ireland and the dependencies thereof.

1813.
Nov. 20

Sec. 4. And be it further enacted, That the sum of five hundred Thousand Dollars be, and the same is hereby, appropriated to carry into effect the provisions of this act, to be paid out of any monies in the treasury not otherwise appropriated.

1813, June 22. Read the third time and passed the Senate.

ABRAHAM BRADLEY, JU'R, TO THE GOVERNOR.

It has been judged expedient to station an agent at Windmill Point, at the mouth of the Rappahannock, to watch the motions of the enemy and to report them. That agent is Mr. William Lambert, and by advice of the Secretary of State I have directed him to make a regular report, by mail and by express, when the importance or urgency of the occasion shall require it, to you or to such person as you may designate.

Nov. 23,
General
Postoffice

I am, &c.

EDW'D JONES, LT-COL., AND ALL THE OTHER OFFICERS OF THE
100TH REG'T, TO THE ADJUTANT-GENERAL.

The undersigned officers of the 100th Regiment, of the 4th Brigade, of the 1st Division, have heard with astonishment that in the call of the Militia into service, Officers have been selected by arbitrary rule. Captains of Infantry and volunteer companies under the requisition of the 19th of April, 1812, have not been called into service with the men put under their command and composing their companies; or if called, dismissed from the service by an organization of the Militia unknown to our laws. We did suppose that the senior officers of the Battalions, Regiments, Brigades, and Divisions from which the soldiers were taken would be called; that the officers of Volunteer Companies as constituent parts of these companies were to be put in service and continued with their men. We believe this rule has hitherto been inviolate. We can not see the propriety of substituting for it discretion. It is well known that the officers give character to an army. If then the Executive or any other authority may take officers from the militia at pleasure and exclude such as are obnoxious, the army will be always composed of persons who will favor the views of those who constituted it. If the department, governed by discretion in forming the army, be actuated by a wish to advance the best interests of the State and possess genius to facilitate its views, much benefit may be expected; but if corrupt motives or ignorance influence the people, have everything to fear, and thus instead of

Nov. 29,
Buckingham Co.

1813.
Nov. 20,
Buckingham Co.

relying for safety on the texture of our Government and laws, our interests are committed to a department governed by its own discretion, or what is the same thing, the law of Tyrants.

The same policy that reserves to the States respectively, the appointment of Militia officers, directs that some better rule than the will of any department should be observed in calling the officers into service. We have heard that a vindication is sought in the general ignorance of the officers, but does such a pretext supercede the right of every officer to be tried for inability? Where is the justice of passing upon men of whose qualities you are ignorant, or the legality of assuming a power dispensing with Court Martials? Our laws declare that volunteers shall be called into service by entire Companies. By what rule is it that the officers are left at home or dismissed when called, whilst their men are retained under the command of Strangers?

We have heard that the militia when called into service are organized into Companies of 100 men, commanded by a Captain, four Subalterns and eleven non-commissioned officers, and that officers who command full companies under the organization of the Militia prescribed by a law of Congress and the laws of Virginia, and who were in requisition under the orders of April, 1812, are sent home by the commanding officers as supernumerary, and this is done by order of the War department of the United States.

By what authority are four Subalterns created? How can the Executive issue commissions to fill offices unknown to any legal organization of our Militia, or call our subalterns to act in an illegal character? It is said to be expedient to organize the Militia anew and allot the men to the command of strangers to induce the necessary rigors of discipline.

Tyrants alone find an expediency in the violation of the laws of their country. Even if the laws gave a discretion, it could not be expedient to appoint men to command upon the principle that they would be obeyed from any other motive in the soldiery than a sense of duty, for fear is the spirit and support of despotism. In our eyes sacred principles have been violated. We well know that the public good requires harmony, but our foreign relations shall never shield the demerits of our public servants. The constitution of the United States vests in Congress the power to organize the militia: this power Congress has exercised.

The war department of the United States has changed the law of Congress, and the Executive of Virginia have submitted to a change which contravenes the established laws of the land and the Constitution of the United States. We are strangers to the policy of dispensing with the provisions of our constitution and laws. If the war department may exercise one power of Congress, on the same principle it may assume any other or all the powers of Congress, and if the Executive of Virginia submit to one invasion, the same pliancy of principle will go to

ny length. We deny that our foreign relations require submission to a violation of our constitution and laws. We believe the spirit and resources of the people of the United States amply sufficient to defy all foreign aggression. If the critical state of our foreign relations requires harmony, it is the duty of that authority to recede that has transcended its powers.

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In opposing all infringements upon the Constitution and Laws of our country, we see harmony and union; in submission to encroachments on them, discord and disunion.

Resolved, therefore, as the opinion of the undersigned officers, that any department that alleges a necessity arising from the state of our foreign domestic situation, to submit to an encroachment on our Constitution and laws, utters a calumny on the spirit and resources of the good people of the United States.

Resolved, that the foregoing remonstrance be published in some paper of the City of Richmond.

JOHN A. S. ANDERSON TO THE GOVERNOR.

Having lately had the honor of commanding a company of Riflemen acting in the character of spies and attached in Col. Johnston's Corps, and anxious to devote my life and services against the common enemy, I undertake to write to your Excellency on the subject.

Nov. 30,
Lexington,
Ky.

Some of my friends here who are acquainted with your character, encourage me to hope that services of such a company would be useful in Virginia, and that your Excellency would favor an application for bringing such men from a sister State into service. I am, therefore, induced to make a tender of the services of myself and one hundred expert active riflemen, all to be well mounted, and we shall ask no more than is customary to be given such corps.

The Company will be ready to leave this State within Thirty days after a favorable answer shall be received and such arrangements made as may be proper, and I can venture to assure your Excellency that the men who will accompany me, without a single exception, will do equal honor to the service and to our own State.

I am, &c.

WILLIAM F. TAYLOR AND EDWARD PEGRAM, JR., TO THE GOVERNOR.

The Inhabitants of the Town of Petersburg, from the defenceless state of that place (a consequence of its exertions in support of the War) and the return of the enemy to the neighborhood of Hampton Roads,

Dec. 5,
Petersburg

1813.
Dec. 5,
Petersburg

think themselves imperiously called upon by every consideration dear to them to guard against surprize or attack. For the attainment of this desired object, they have deputed us to the Executive of the State with instructions to make the following requests :

1st. That (if possible) Fort Powhatan be immediately put into the best possible state for defence, and liberally furnished with the necessary munitions, *de guerre et de bouche*.

2. That the militia of the Town of Petersburg, and the Artillery, particularly, be immediately furnished with a supply of Ball cartridge.

3. That a detachment from the militia of the adjoining counties, not heretofore called upon, be stationed in or near the Town, or its citizens now on duty in or near Norfolk be permitted to return.

4th. That arms and ammunition may be furnished for 150 regulars of the 35th Reg't, U. S. Troops, about to be ordered to Petersburg, to be used by them while they remain there.

5. That if more cannot be obtained, the Artillery of Petersburg may be authorized or ordered to take possession of the Fort for its better defence, and that it be forthwith furnished with all necessary munitions, particularly gun-carriages, which are respectfully submitted by us.

We are, &c.

JAMES McDOWELL (B. G.) TO THE GOVERNOR.

Dec. 7,
Norfolk

I lost no time in laying before Genl. Taylor the communication to me from your honorable body the Council of State, relative to the four men of the guard of British prisoners at Richmond, who were in a helpless state, and whom your honorable body had ordered provision for under the management of Major Pryor.

The General's answer to my personal application with regard to these men you have enclosed. I confess I have been puzzled to know what is meant by the distinction, United States service and State service. The U. States are engaged in war with Great Britain; each of them are bound to contribute their share of force, &c., for the general good in its prosecution. The partial application of that force, and the necessity for its operation falling more heavily according to incidental circumstances on one part of the Union than another, gives clearly a claim for credit of service and remuneration of expenditure by the State supplying the means to meet the incidental exigency. How then can it be considered that the Soldier called out by State authority for the defence of its shores and repulsion of the common enemy has no claim on the United States for protection, supply of his wants and just claims. It is unfortunate that this question arises at this critical period, or that it should ever be made one.

I am, &c.

NORFOLK, *6th December, 1813.*

1813.

Understanding from your statement that some men alluded to in the
of Council were part of the troop under your command, in the
of the State, and never in the service of the United States, I regret
am not authorized to make any provision for them. As an officer
service of the United States, I have no power to provide for any
but those recognized as being in the service of the General Gov-
t.

I leave to remark that the custody of prisoners does not devolve
Military commander in the service of the U. S., but on the Mar-
of the District, who will, I presume, provide for the accommo-
of the Guard he has received from the State authorities.

I have the honor to be,

Very Respectfully,

Your mo. obed't Ser't,

ROBERT TAYLOR, B. Gen'l.

WM. GRAY TO THE GOVERNOR.

Learning that some official communication may be necessary as to
of the death of Brigad'r General John Guerrant, to enable your
ency to communicate the same to the Legislature, which perhaps
be the duty of the sen'r Lt. Col. Com'd't, but he residing at a dis-
I have thought it not improper in me, having a knowledge of the
announce to you that he died on the 7th instant.

I am, &c.

JOHN W. EPPES TO THE GOVERNOR.

Among the subjects which will occupy the attention of Congress
the present session, a revision of the Militia Laws is one rendered
rly interesting to Virginia from the expenditures already incurred
e certainty that from our exposed situation these expenditures
e considerable during the continuance of the war. The opinion
ined by members of the Legislature of Virginia, that a considera-
tion of these expenditures will be thrown ultimately on the State,
lated, I fear, to produce feelings which may have an important
on on our future exertions and impair that confidence in the
stration which, during the present period of peril and danger,
patriot ought to cherish.

Dec. 14,
Richmond

1813.
Dec. 23,
Washington,
D. C.

The President in his message recommends "regulation under due precaution for defraying the expence incident to the first assembling as well as the subsequent movements of detachments called into the National service." I have heard that the expenditures in Virginia not already allowed are principally of this kind. If a law shall pass providing in future for these expences, we shall attempt to give to it a retrospective operation so as completely to cover all expenses of this kind already incurred. In order to do justice to the claims of Virginia and engraft on the law a provision to meet them, it would be important to know, 1st, Their amount. 2. The objects for which the expences have been incurred. In speaking of the amount, I mean only to include such claims as the accounting officers either have not allowed, or may scruple to allow under the existing laws. If I had seen your correspondence on this subject with the Executive of the United States, it would not be necessary to give you this trouble. Nothing, however, but your message has reached us. The documents accompanying it, if printed, have not appeared in the Newspapers. The embargo recently passed here, added to the Taxes, will produce a severe pressure on the community.

The assumption of the direct Tax by the State, which would effectually prevent this pressure, will, I fear, be defeated by the apprehension at present entertained by members of the Virginia Legislature that prompt and adequate provision will not be made by the Federal Government for refunding to Virginia the expences incurred in calling out the militia.

For my own part, I feel confident that these expenses cannot be refused without a violation of the Federal compact under which each State has surrendered its resources, to be employed for the good of the whole. If from the circumstance of our having heretofore few calls for militia, our laws are defective, we will amend them. If, under these defective laws, ample justice cannot be done to Virginia by the Accounting officers, I feel a confidence in saying that her claims will be provided for in a spirit of liberality by Congress.

A General Resolution providing for expenses incurred by the States in calls of the militia, has been referred to the Committee on the part of the President's message to that subject. I find the other members from Virginia as little acquainted with the nature of her claims as myself.

Any information which your leisure will enable you to furnish me on this subject, will be very acceptable, and probably enable me to secure to Virginia, for expenses already incurred, the benefit of the general provision contemplated.

All your friends here have seen, with great pleasure, the honorable testimony you have recently received of the continued and undiminished confidence of your fellow-citizens. Accept my friendly wishes for your health.

I am, &c.

es by Officers of Appointments in the Corps to be raised for the
defence of Virginia. 1813.

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Flemming, - - -	Major, - - -	" 12th, "
ror, - - - -	Captain, - - -	" 12th, "
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JOHN TAYLOR TO THE GOVERNOR.

1814.
January 5,
Washington
City

My son, Lt. Taylor, having departed from Boston on another cruise in search of the enemies of his country, has requested me to communicate to you his desire that the sword which he had the honor of being voted him by the Legislature of Virginia, and of which you so very handsomely informed him, may be forwarded by some safe conveyance to me at the City of Washington; that in case he should fall in his country's cause, he may leave it among his friends, as a token of his devotion to the cause of his country, and of the honor conferred on him by the Virginia Legislature.

I am, &c.

W. JONES (ACTING SEC'Y OF TREASURY) TO THE GOVERNOR.

January 10,
Treasury
Department

I have had the honor this day to receive your letter of the 8th instant, notifying the intention of the State of Virginia to pay its quota of the Direct Tax, and accompanied with a copy of the act of that State, "providing for payment of that part of the Direct Tax of the United States which was apportioned to the Commonwealth of Virginia."

I have the honor, &c.

A. SINCLAIR (CAPT. U. S. N.) TO THE GOVERNOR.

January 16,
Richmond

Yours of the 15th Inst. has been received, enclosing a copy of the Resolutions of the General Assembly of Virginia, in which they have rewarded beyond my merits the small services I have rendered in the cause of the late contests on Lake Ontario, while led to battle by that distinguished and gallant officer, Commodore Chauncey. I can more easily appreciate the honor done me in the present instance than I can find language expressive of my feelings. To merit the approbation of my country has ever been the first and most ardent wish of my heart, and to have succeeded so far as to gain that of my native State is a source of infinite gratification. The truly patriotic spirit *she* has always manifested, especially in the course of the present just and righteous war, gives additional importance and effect to praise bestowed by *her* representatives. The public and honorary manner it has pleased them to adopt of bestowing that praise on me, will always be remembered as an excitement to unremitting exertions to deserve it; while to you, Sir, my warmest thanks are due for the polite and flattering manner in which you have made the communication.

I am, &c.

THO. HUNTON (MAJOR CAV'Y) TO THE GOVERNOR.

I do myself the honor to write a private letter on a subject which I presume will be acted on by the Executive of this State in a short time.

1814.
January 31,
Norfolk

In a conversation with General Taylor he suggested the propriety of my recommending a Troop of Cavalry to supply the place of one whose term of service here has nearly expired (Capt. Sandford's from Halifax). I beg leave to name Capt. Grigsby's of Fauquier County. It is large and respectable, composed of active, sprightly young men, generally in good circumstances, well uniformed.

I have understood the Capt. has complained of his being overlooked heretofore. In fact there is no troop within my knowledge that is not in service better calculated to meet an invading foe and avenge their country's wrongs. It is not wished or expected that the information communicated will have any influence, provided your attention has been directed to any other suitable Troop.

The improvement in discipline since I reached this place has been unexampled, which is to be ascribed to the arduous exertions of the Commanding General, who is pre-eminently qualified to instruct.

We are, &c.

W. CAMP (LT.-COL. COM'D'T 21ST REG'T) TO THE GOVERNOR.

In consequence of the 21st Reg't being nearly broken up by the number of Volunteer Companies which have been made up in this Reg't—say two companies of Infantry, one of Cavalry, and three of Artillery, leaving only one company of the Line complete and two others that have less than forty men in them—should it meet with your Excellency's approbation, I wish those companies converted into Riflemen, as a company of that description in our County would be very efficient and of great value to us.

February 1,
Gloucester
County

Mr. Hawood, who is the bearer of this, held a Captaincy in this Reg't, but resigned in consequence of his company's being broken by those volunteers that have been raised from it, and since has undertaken to raise a company of Riflemen, which I find he can do without difficulty.

I therefore undertake to recommend to your notice Mr. Hawood as a man well qualified to discharge the duties attached to the command of a company, as I have ever found him ready to serve his country with that alacrity and promptitude which distinguish the Patriot.

I am, &c.

1814.
February 3 Resolutions of committee of Vigilance of the City of Richmond on a memorial of the Mayor of Petersburg, earnestly soliciting co-operation in the endeavour to induce the State authorities to provide for the repair and proper equipment of Fort Powhatan as the best protection to Petersburg and Richmond, enumerating the variety and value of property exposed to capture by the enemy, are filed.

RICHARD BRENT TO THE GOVERNOR.

February 11,
Washington I have received communications from a great number of gentlemen of the first respectability in the lower counties of the Northern Neck of Virginia, describing with great sensibility the deplorable and unprotected state of that part of the Country in consequence of the Militia of that section of country being carried away to Norfolk. These representations were made to me with a view that I should make some communication to the Executive of the U. S. on the subject. I have done so, but am advised by the Executive that application on this head should be made to the Executive of Virginia, with whom alone the power to redress this grievance resides. I therefore take the liberty to address you on this interesting subject, and to assure you that from my intimate local knowledge of that quarter of the State I can satisfy you that the situation of the white inhabitants is dangerous and alarming in the extreme. Situated on a narrow neck of land reaching out to a great length, and bounded by two large navigable rivers, they are constantly exposed to the ravages of our enemies. Considerations which become more formidable when we take into the element the large proportion of negro population which appertains to that feeble frontier of our State—in a word when all circumstances are duly weighed it seems to me that independent of its own Militia it stands almost as much in need of troops drawn from abroad for its protection as Norfolk itself.

I am, &c.

JAMES WILLIAMS (MAJOR COMDT.) TO THE GOVERNOR.

February 15,
Petersburg In compliance with the general orders that I received from the Deputy Adjutant General on the 2nd of November last, directing me to discharge all the men in Fort Powhatan excepting a non-commissioned officer and twelve men; and as there was not any United States Troops present, I detailed a sergeant's guard; their term of service having expired this day, I deem it necessary to call on you for instructions how these men are to be replaced by others, or to inform Col. Selden in what manner to act.

I will add that there is in Fort Powhatan Five Eighteens, twelve
twelves, four sixes, and one four pounder, all mounted; and there are
three sets of wheels that were sent from this place for six pounders.
Should it meet your approbation, you will send the guns and carriages
and have them mounted also.

1814.
February 15,
Petersburg

I am, &c.

CITY OF RICHMOND, *Feb. 16th, 1814.*

The Board of Vigilance of this City respectfully acknowledge the sentiments they entertain of the promptitude and zeal manifested by the Hon'ble the Chief Magistrate and Council of State in their adoption of measures which they trust will eventuate in giving to the Fort Powhatan an aspect so formidable, as should it not induce the enemy to abandon his probable designs against it, may so check them as to afford the citizens of the rich and flourishing Towns of this place and Petersburg with those of the circumjacent country time sufficient to repel their farther devastating incursions.

The course that this important subject has taken being sufficient to assure us that an immediate communication will by your Hon'ble Body be opened with the General Government.

We take the liberty of recommending the active and intelligent Mr. Richard Bate as the bearer of such communication, which we are informed he is willing to undertake. The laudable zeal which Mr. Bate has evinced on the subject, and his knowledge of the ground on which the Fort is erected, as well as the adjacent country, may enable him to give explanations on this subject at Washington, which may contribute to advance the object we have so much at heart, and we have no doubt that if the purpose of the resolution of the House of Delegates should succeed, that those who may have the direction of the works at Fort Powhatan would find an useful auxilliary in the ardour and intelligence of Mr. Bate.

General Orders.

ADJUTANT-GENERAL'S OFFICE,
RICHMOND, *17th of February, 1814.*

In compliance with a requisition on the Militia of this State, made by the Commanding General at Norfolk, to supply the place of those whose term of service will expire in the month of March next, the Commandants of the 4th and 12th Brigades will detail the following proportions of Infantry of the line:

From the 4th Brigade—1 Colonel, 1 Major, 2 Captains, 12 Lieut's, 5 Ensigns, 22 Sergeants, 26 Corporals, 8 musicians, 410 Privates.

From the 12th Brigade—1 Colonel, 1 Major, 4 Captains, 12 Lieut's, 3 Ensigns, 18 Sergeants, 22 Corporals, 8 musicians, 367 Privates.

1814. In making the above detail a due proportion will be taken from the Light Infantry.

The following Volunteer Companies will also take the field—viz.:

Capt. Wm. Morris's	Company of Artillery,	Frederick.
Henry M'Clung's	Do.	Do. Rockbridge.
Wm. Smith's	Do.	Do. Washington.
Capt. James Mason's	Company of Riflemen,	Berkeley.
Joseph Mawze's	Do.	Do. Rockingham.
Isaac Vanhorn's	Do.	Do. Frederick.
Sam'l Hawkins	Do.	Do. Shenandoah.
Henry St. John Dixon's	Do.	Do. Washington.
John Cole's	Company of Light Infantry,	Albemarle.

The whole will proceed to Norfolk and report themselves to the Commanding General at that post. Those called from counties below the Blue Ridge will arrive by the 8th of March next, and those from Counties beyond, by the 16th of March.

The Commandants of detachments will on their march impress ferry boats and use toll-bridges in crossing streams and grant certificates of the same, stating what they consider to be reasonable compensation for the use of such boats or bridges. The Infantry will go unarmed to Norfolk, where they will be supplied from the public arsenals. Such of the Riflemen as have public arms will go armed and accoutred in the best manner practicable. It is very desirable that the Volunteer Companies be full to the utmost limit allowed by the laws of this State, which is 75 privates, exclusive of commissioned and non-commissioned officers.

All claims to exemption from duty must be made before a Regimental Court Martial to be held for the purpose of hearing excuses. The men will be mustered and inspected by the Adjutant of the Regiment or some officer specially appointed by the Commandant as mustering officer, who, together with the officer commanding the Company, and the Regimental Surgeon, must sign the muster roll and be responsible for its correctness. Three sets of Muster rolls must be made out for each Company, forms of which are herewith sent. Let the column of names be filled first with the commissioned officers according to rank, then with the non-commissioned officers and musicians, and lastly with the privates in alphabetical order. In the columns for names present, let the names of those in the first column be repeated where they are actually present and pass inspection; and under the head of Remarks, &c., let such facts be noted as are worthy of Remark, and have occurred in relation to any one of them opposite his name. It must also be noted whether he be a substitute or not. One copy of the Muster roll, when complete must be forwarded to this office, another retained for the use of the commanding officer of the Company in making out his pay roll, &c., and the third for the Com-

manding General at Norfolk. Capt. Joseph Wheaton, Assistant Deputy 1814.
 Quarter Master General at this place will furnish the necessary means
 of transportation, forage, &c., and make arrangements for the supply of
 provisions, &c., on the march.

By order

CLAIBORNE W. GOOCH, D. A. G. for
 MOSES GREEN, A. G.

G. W. CAMPBELL TO THE GOVERNOR.

On the 10th day of January last your letter of the 8th of that month February 18,
 was received at this Department, enclosing an act of the State of Vir- Treasury
 ginia directing the payment on or before the 10th day of the present Department
 month of the quota of that State of the Direct Tax imposed by the Act
 of Congress of the 2nd of August, 1813.

No information of the payment having been actually made has been
 received at this Department, and I am therefore induced to enquire
 whether the act of the State of Virginia has been carried into effect, or
 what measures are proposed to be taken under it.

I am, &c.

J. PRESTON TO THE GOVERNOR.

I have written to the Secretary of the U. S. Treasury and informed February 21
 him that the sum which the Legislature of Virginia assumed to pay the
 General Government as her quota of the direct tax, is in the Treasury
 subject to his order, and I have suggested a plan by which it shall pass
 into the U. S. Treasury, or to the credit of the U. S. with the Farmers
 Bank of Virginia.

I regret that my painful indisposition has deprived me of the honor
 of the personal interview you were pleased to propose.

I am, &c.

JAMES MADISON (PRES'T U. S.) TO THE GOVERNOR.

Your letter of the 17th Inst., accompanied by a Resolution of the February 26,
 House of Delegates of Virginia, has been duly received. Washington

An Engineer has been designated to make a further examination and
 report with respect to Fort Powhatan, and it is intended to strengthen its
 works and to place therein a suitable Garrison.

Accept assurances of my consideration and esteem.

ROB'T GREENHOW TO THE GOVERNOR.

1814.
February 24,
Richmond

Whether what I now take the liberty of submitting is worth more than the time and trouble you will consume in its perusal, I know not; but influenced by motives which love for my country dictates, I cannot forbear giving you a detail of some communications that were made me by a Friend in Williamsburg, who believes the facts stated to be true.

A person who had every reason to believe that a number of his negroes were on board the British fleet, obtained a Flag and went on board the ship commanded by Com. Barry. While there the Commodore deigned to enter into unreserved converse with him on the course that would be pursued the succeeding summer. He frankly acknowledged that Infamy and disgrace had been attached to their proceedings in the Chesapeake during the last campaign.

That not an officer belonging to the British Squadron would continue thus ingloriously to hold his post should such a mode of warfare be continued. That we might rest very well assured its effects would be very materially felt under the control of the commander who was to succeed the one now in office, and to do us individually and collectively as political enemies all the harm he could, would be the principles from which nothing would induce him to swerve.

That Cockburn was to be this Commander, and that we pretty well knew what his character was, and how he stood affected towards us.

Soon after the arrival of a British fleet in the Chesapeake, and before any orders had been given by the Commanding officer at Norfolk relative to the places when, and manner in which their Flags should be received, this Cockburn, disguised as a common sailor on board one of them, landed at one of the wharves of Norfolk, and possessed himself of every circumstance relative to our state of defence and the means in our power to resist their attacks.

Still further to show his enterprising spirit and determination to embrace every opportunity to answer his ends however derogatory it might be to the character of an officer of his high grade, this friend, while I was in Williamsburg (from whence I returned in the last stage), stated what had been imparted to him as not to be doubted.

A number of poor people living on the margins of those waters who derived support from fishing, were permitted to pursue their ordinary occupations, and of course were subject to frequent visitations from the boats of the Squadron, who, with or without compensation, supplied themselves as they pleased with what they had taken.

Cockburn (as the story goes) resolved to avail himself of this means of gaining information. Disguised again as a common seaman, he took the oar, placing a petty official at the Helm, rowed up to the fisherman's boat and ordered him instantly to disrobe himself, giving his own attire

in place, directing the crew to take him on board and there to await his (Cockburn's) return. Assuming then the fisherman's dress, habits, &c., he paddled off towards the mouth of Elizabeth River, every now and then casting his anchor on the fishing grounds as he went on, and pretending to try his luck farther in that way until he reached the Constellation. When he got alongside he hailed with the accustomed Quere, Do you want fish on board? The kind, price, &c., being enquired into and approved of, dispositions were made to conclude the traffic. Pending the negotiations, he was constant in his admiration of the Frigate's structure: What a noble vessel she was; how superior to any of like sort the Enemy possessed he thought *her*; that it was his own country's Ship; with a variety of such like expressions; concluding with repeated wishes that he might be permitted to go on board and view the Interior. The officer hearing these reiterated observations, told him that under the direction of his superiors (to whom he communicated what had passed) he might be indulged; to make fast his boat and come on board.

1814.
February 24,
Richmond

It is needless further to descant on the subject.

Your Excellency will readily conceive the arts that he practiced while on board to obtain all and every information he wished to acquire. Suffice it to say that the object being attained, he soon resumed his station, restored the fisherman his boat and garb, giving perhaps a liberal compensation for his detention.

This being the character of the man who is to direct the forces of Britain during the ensuing campaign, if a cessation of hostilities should not take place, we have every reason to expect that war in its most sanguinary and destructive shape will be waged against us.

I am, &c.

CHRISTOPHER TOMPKINS TO THE GOVERNOR.

The enemy returned to Point Comfort on Sunday last after an absence of ten days; their force is one Seventy-Four, one Brig and two schooners. Whenever the weather will permit they are busily engaged in filling water. They use the Light House as a watch tower, from whence they can see every person moving within three miles of the Point.

March 3,
Mathews Co.

We had been under an impression that the water on Point Comfort was salt, but I am informed by Gentlemen who have examined it in the absence of the enemy that it is excellent and in great abundance. I have no doubt that this will be their watering place during the war.

Under this conviction I am compelled again to draw your serious attention to the peculiar situation of the people of this county. Very few of our Militia are owners of slaves, but a large proportion of them have families who depend on the daily labor of their Husbands and Fathers

1814.
March 3,
Mathews Co.

for subsistence, and if we are not relieved by some regular force the distress will be great. Whenever the Enemy are in our waters, there must be considerable force under arms or our citizens are exposed to pillage in every direction.

I have had a consultation with Col. Gayle and some other officers and we were unanimously of opinion that 170 men is the least number necessary to mount a guard of 12 men at the most exposed points in the neighborhood of the enemy, and we have accordingly that number now on duty. They will be relieved by the remainder of our Militia in 8 days, if the enemy remain so long. This arrangement will afford some relief to our citizens, and lessen the expense (as the men are drafted from all the companies in the Reg't with a set of officers to seventy men), but when the Militia are called out en masse we have nearly as many officers as men. But, Sir, would it not be better to organize a flying Camp of about 250 men for the protection of the Eastern Frontier? it would be much less expensive, much more effective, and afford more complete relief. One Company of Mounted Riflemen, one of Light Artillery and two of Infantry under an active officer would afford great relief to the inhabitants of this section of the State. The authority vested in the Lieut. Col. to call on adjacent Counties for aid does not afford us such relief as we want, for we have no intimation of the approach of an enemy until he is in our waters, and before aid could be drawn from a neighboring County the County may be laid waste and the Enemy gone. A deserter has just come in from the Dragon who informs that Cockburn has arrived, and that the Dragon is taking in water to carry them to Halifax.

Cockburn has only brought with him three or four small vessels.

I hope the plan I have taken the liberty to submit will meet your approbation. I don't mean those men should be stationed in Mathews or any other particular county, but to watch the movements of the Enemy and oppose them at every point. I am very certain much expense will be saved to the Commonwealth. I shall take the liberty to communicate any important movement of the Enemy, and shall be extremely pleased to learn of some plan for the relief of our harrassed citizens.

I am, &c.

ALEXANDER TAYLOR TO THE GOVERNOR.

March 7,
Petersburg

Forwarding the resigned commission of Lieut. Rob. B. Cooke of the Petersburg Republican Light Infantry, and asking that the resignation be accepted; also recommending Mr. John Williams for appointment to the vacant Lieutenancy.

W. SIMMONS TO WM. B. GILES.

Agreeably to your request I have made enquiry of the Paymaster of the army whether the State of Virginia has rendered any account for Expenditures made for Militia services since the commencement of the War, and have been informed by that officer that none have been rendered to his office, and I have further to state that none have been rendered to this office.

1814.
March 8,
Department
of War

I am, &c.

CHRISTOPHER TOMPKINS TO THE GOVERNOR.

Informing of the escape of nine negroes to the Enemy's ships and the difficulty of preventing such occurrences; recommending again the adoption of his or some other plan for the better protection of the people of Mathews Co.

March 8,
Gloucester
C. H.

THOS. R. YEATMAN TO MAJOR C. TOMPKINS.

I have just returned from Commodore Barrie's ship, and you expressed a desire that I should relate to you every thing that passed worthy of notice. My stay was shorter than it had been on my former trip, and shorter than I could have wished, as my reception was kind, familiar and elegant. My having contracted an acquaintance with the officers of this ship before, our conversation was unconstrained and frank on their part, on mine you know it would have been fatal to be candid on any subject that touched on our strength, discipline or resources. I enquired of Barrie the number of negroes that had come off from Mathews, he answered that thirteen had come two nights before—four of them from the Haven, four from East River, and five from Black water. When he mentioned this last place he laughed and then added, "where your ship is." I pretended some little astonishment and ignorance. He then told me as much about my ship as I knew myself—that I was discharged about three weeks ago from camp and went home to finish and launch her—and that she was now ready to launch, and that I had not put the masts in for fear she might be discovered.

March 11,
Camp near
New Point
Comfort

I asked him if he had ever heard of her before those negroes had gone to him from Blackwater? He replied that he had known of her several months, and that after I had been on board his ship the first time, he knew that I was the identical man who owned her. He said he would advise me to make every preparation for defending her or disposing of her, for "I will be d—n—d if Cockburn don't try to destroy

1814.
March 11,
Camp near
New Point
Comfort

her," said he. He expressed an apparent sympathy that property of such value belonging to an acquaintance (as he called me) should be destroyed; that it was his duty to give the information to Cockburn; and that as to himself he did not think it came strictly under the scope of his orders or duty to attempt her destruction, "but my good fellow get clear of her upon any terms, for Cockburn will burn her." I touched on the subject of their disposal of the slaves they got from us. He said that those who were carried to the King's dock yard at Bermuda received *man-of-war's allowance* and a shilling a day.

Yarwood, the purser, was talking at the same time, and he inadvertently said that "*those whom they served had to pay 30 pounds per man to the Government, and that the slaves were indented to serve a term of years to reimburse the master.*"

A term of 99 years, I presume, renewable forever. This confession, I suppose, related to such of them as were not put in the King's Service. The force in the Bay he told me were the Albion—his own ship, Dragon—Armede (which arrived off Point Comfort while I was on board the Dragon), a frigate that had arrived yesterday morning at the Cape, whose name he did not know, and the Sloop-of-war Jasur, now at Point Comfort. He told me that one of our shot struck a boat of his on Friday last and wounded a man in the leg. You recollect that while you and I were watching the effect of our fire, I remarked that one of our shot must have struck.

I am, &c.

CHRISTOPHER TOMPKINS TO THE GOVERNOR.

March 12,
Mathews Co.

The Enemy occupy the same ground they did when I last had this pleasure, with the addition of another frigate. Lieutenant Yeatman was sent on board the day before yesterday with a flag to ascertain if some negroes had got on board, and has made the enclosed report to me, to which I beg your serious attention. The ship there alluded to is the one belonging to Mr. Tabb, of Norfolk; was built by Mr. Yeatman's Father, who is lately dead, consequently Lieut. Yeatman has to launch her. How the Enemy get their information is truly astonishing, but it is no less true that they know every occurrence in Richmond before we do; they do not hesitate to say that they get the Richmond papers regularly two or three days after they are printed. Mr. Yeatman told the Commodore that Cockburn would find some difficulty in burning the Ship, as we were well prepared for such an attempt. He replied that they knew our force very well, and could at any time land double our number and take the County, if there was an object for doing so. He further observed that Cockburn would have a strong force in the Chesa-

peake this summer ; would be able to land two thousand men at pleasure. He also informed that Admiral Cochrane was to supercede Warren, and that the war would be carried on in a different style to what it had been. Three days ago three of their marines ran off, one after the other in the day; one of them brought his musket and ammunition; the other two threw theirs into the water, as the tide was up they had to swim. They did not come off in concert; neither knew the design of the other; but all left the same post where they had been alternately placed on guard to prevent the seamen deserting. They were discovered, but they dare not send others in pursuit of them. This is quite a novelty and affords us more serenity than anything else.

1814.
March 12,
Mathews Co.

Does not the United States allow something for arms, &c., brought over by deserters? Col. Gayle's letter to you has been submitted to me, and I fully concur with him 'tis a curious fact that no spot can be found in this county more than a mile from tidewater; hence the impossibility of securing the canoes without guarding them, and I expect that one Thousand is the smallest number we have in the County, for not only every white person but almost every negro has a canoe. We have lost 28 negro men lately.

I am, &c.

P. S.—I observe in the newspapers some writer from York represents the Enemy to be off the mouth of York River, and no doubt you have been thus informed, but the fact is, they have never been in less than twenty miles of York. 'Tis true they can see the ships from York, and that is all. The reports you had of barges being up York River before left Richmond were totally false. There were several large canoes passing at that time from this County to Back River taking a cargo from wreck, which were magnified to large barges, &c. I also observe that the York Militia are on duty because they see an Enemy's ship, but they had as well be on duty in Richmond for the good they can do. There is no temptation for the Enemy at York. I would not give the stock on one farm in the lower part of Gloucester for all in York county. So far from the Enemy lying in the mouth of York River, their smallest vessels have never been more than a mile from our shore and the largest about two or three, and can come within half a mile whenever they please.

C. T.

JAS. BARBOUR (GOV. OF VA.) TO THE HON'BLE SECRETARY OF WAR.

It having been informally communicated to me that General Parker had retired from the command at Norfolk, leaving there no officer of a higher grade than Colonel, the Executive thought proper to order Brigadier General Chamberlayne to repair to that Station and take the Com-

March 20,
Richmond

1814.
March 20,
Richmond

mand. A measure justified in their opinion as well by the number of troops as the importance of the position. A difficulty has occurred as to the command; its character will appear from the letter of the General, a copy of which I herewith enclose. I have to request your early attention to the subject, and the adoption of such measures as will obviate the inconvenience.

I am, &c.

JAMES GREENHOW (DR.) TO THE GOVERNOR.

March 28,
Richmond

It is with great unwillingness I complain of the insufficiency of my salary as physician to the Penitentiary and public guard. It was at no time much more than to pay for the medicine at the customary charges. But now that they have risen generally one hundred per cent., I am paid nothing for my attendance and prescription.

In the Penitentiary the number of prisoners always exceeds one hundred and twenty, for the attendance and medicine on whom I receive \$250, and the same sum for the public guard, consisting of thirty-six, three-fourths of which have families and can not be accommodated in the barracks for want of room. I am hence obliged to visit them in every part of the city—oftener in the suburbs where they live in huts to avoid the expense of high house rent. Add to this my services and medicine to their wives and children, which tho' perhaps I am not bound to perform—still humanity impels in as much as soldiers with from one to five children with a pay of six dollars pr. month and rations, is little able to pay a Doctor's bill. With deference I conceive it in the power of the Hon'ble Executive to relieve me at least as it regards the Penitentiary. Two of your honorable body are most respectable members also of the medical faculty to whom I beg leave to refer. With a hope that you will take the subject into consideration and give it that notice its merit deserves.

I am, &c.

WM. CHAMBERLAYNE (B. G.) TO THE GOVERNOR.

March 31,
Norfolk

I take the liberty of calling the attention of your Excellency to the disagreeable and painful situation in which I am placed. I communicated to you on the 17th Inst., the refusal of Col. Freeman to transfer the command of the troops here to any State Officer unless by direction of the War Department. I addressed also under same date a letter to Mr. Armstrong, Sect'y of War, informing him of the orders I had received, and my willingness to assume immediately the command of this

post. I have been informed by Col. Freeman, that on the same day he too communicated with the Sect'y at War on this subject. I have been here upwards of a fortnight without hearing a syllable from Washington, altho' in that time communications as late as the 25th inst. have been received here from that department. Believing as I do that full time has been afforded Mr. Armstrong to recognize or disown the authority under which I was called here, and my situation being extremely unpleasant, I might solicit the favor of your Excellency to relieve me from it as early as possible.

I am, &c.

1814.
March 31,
Norfolk

General Orders.

ADJUTANT GENERAL'S OFFICE,
RICHMOND, 31st March, 1814.

In compliance with a requisition made on the militia of this State, by the commanding officer at Norfolk, to replace troops whose term of service will shortly expire by the commandants of the 10th, 13th, and 16th brigades, will detail the following proportions of Infantry :

From the 10th Brigade—1 Lieutenant-Colonel, 1 Major, 4 Captains, 7 Lieutenants, 6 Ensigns, 16 Sergeants, 16 Corporals, 8 Musicians, and 356 Privates.

From the 13th Brigade—2 Lieutenant Colonels, 6 Captains, 12 Lieutenants, 10 Ensigns, 24 Sergeants, 24 Corporals, 12 Musicians, 531 Privates.

From the 16th Brigade—1 Lieutenant-Colonel, 1 Major, 5 Captains, 9 Lieutenants, 7 Ensigns, 20 Sergeants, 20 Corporals, 10 Musicians, and 15 Privates.

The following Volunteer Companies will also take the field :

Capt. William Sale's Troop of Cavalry, Amherst.

“ Augustine Claiborne's Do. Greenville.

“ James Lanier's Do. Pittsylvania.

Capt. Sam'l Kennedy's Company Artillery, Monongalia.

Jno. W. Bayliss's Do. Shenandoah.

Jacob F. Fishback's Do. Wythe.

The whole will proceed to Norfolk *with the least possible* delay, and report themselves to the Commanding officer at that post.

In making the above detail a due proportion will be taken from the Light Infantry by entire companies as the law directs. The Infantry will go *unarmed* to Norfolk, where they will be supplied from the public arsenals.

It is expected that the whole number required will take the field. All claims to exemption from duty must be made before a Regimental Court Martial to be held for the purpose of hearing excuses. The men will be

1814 mustered and inspected by the Adjutant of the Regiment or some officer specially appointed by the Commandant as mustering officer; who together with the officer commanding the Company and the Regimental Surgeon must sign the muster roll and be responsible for its correctness.

Three sets of Muster-rolls must be made out for each Company, forms of which are herewith sent. Let the column of names be filled first with the commissioned officers according to rank: then with the non-commissioned officers and musicians; and lastly with the privates in alphabetical order. In the column for *names present*, let the names of those in the first column be repeated where they are *actually present and pass inspection*; and under the head of Remarks, &c., let such facts be noted as are worthy of remark, and have occurred in relation to any one of them opposite to his name. It must also be noted whether he be a substitute or not. One copy of the muster roll when complete must be forwarded to this office, another retained for the use of the commanding officer of the Company in making out his pay-roll, &c., and the third for the commanding General at Norfolk.

Captain Joseph Wheaton, Assistant Deputy Quarter Master General, at this place, will furnish the necessary means of transportation, forage, &c., and make arrangements for the supply of provisions, &c., on the march.

The above troops are called into active service under an act of Congress, passed in 1795, and will consequently serve only three months.

By order,

CLAIBORNE W. GOOCH, D. A. G. for
MOSES GREEN, A. G.

JOHN ARMSTRONG (SEC. WAR) TO THE GOVERNOR.

April 2,
War Department

I have the honor to inform your Excellency that Brigadier General Porter, an Officer of long service and high reputation in the Army of the United States, has been assigned to the Command at Norfolk.

This arrangement will render unnecessary the employment of any Brigadier General of the Militia.

I am, &c.

JAMES BARBOUR (GOV. OF VA.) TO THE HON'BLE SECRETARY OF WAR.

April 7,
Richmond

I have the honor to acknowledge the receipt of your favor of the 2nd Inst. in reply to mine of the 20th ult.

The designation of General Porter to the command of Norfolk is perfectly satisfactory to the Executive, as we entirely confide in your

assurance that he is an officer of distinguished merit. But the suggestion in yours, that in consequence thereof a Brigadier of the Militia is not necessary, is a conclusion directly opposed both to our opinion and wishes. The order of the Executive directing General Chamberlayne to repair to Norfolk and take the command of the Militia (and in the event of no officer of superior grade, the command of the post) was based on the principle that whenever a detachment of the Militia was ordered out they were to be officered by a corresponding number of Militia Officers. Now as between 3 and 4000 Militia of this State are in service at Norfolk, being equal to a Brigade, it ought to be under the command of a Brigadier of Militia.. He of course would be understood to be subordinate to an officer of the United States of equal grade. The Command of General Chamberlayne (he having been detailed under the law of April, 1812), by a construction of the Department, would naturally expire on the 10th current. As it regards his case therefore the course pursued loses much of its importance. But in reference to the future it is a question of great interest involving the essential rights of the State, and which the Executive feel itself bound to sustain. I flatter myself on a review of the subject, your determination will be co-incident with ours, and that you will, with as little delay as possible, favor us with your views on the subject.

1814.
April 7,
Richmond

I am, &c.

JOHN ARMSTRONG (S'C'Y WAR) TO THE GOVERNOR.

As it may be some weeks before Brig'r-General Porter can present himself at Norfolk, it is desirable that your Excellency's orders to Brig-Gen'l Chamberlayne should be so modified as to leave him in command until the arrival of Gen'l Porter.

April 8,
War Department

Col. Wadsworth, of the ordnance Depart., has my orders to repair to Fort Hood to examine its present situation and to report alterations or additions.

A bill is before Congress for receiving volunteer militia, and which, if adopted, will, it is hoped, supercede the necessity of calling out the militia for service at points remote from their homes. I seize this occasion to offer to your Excellency the assurances of my great respect.

I am, &c.

THE VIRGINIA DELEGATION IN CONGRESS TO THE GOVERNOR.

The claim of the State of Virginia against the Government of the Union for the reimbursement of money expended by that State in call-

April 8,
Washington

1814.
April 8,
Washington

ing out, equipping, and marching its militia on the requisition of the President of the United States, has not failed to command our earnest attention.

At the last session of Congress it was particularly called to the subject by your Excellency in a letter addressed to Mr. Giles, one of the Senators from Virginia, and in consequence of his invitation a meeting of the members was held, at which Mr. Giles, of the Senate, Nelson, Breckenridge, and Jackson, of the House of Representatives, were appointed a committee to have an interview with the Secretary of War, in order to understand the principles upon which the claim was disallowed, and to supply the legal remedy. This interview took place, and the objections of the Secretary were stated to the Committee. A bill afterwards passed the Senate, which, it has been said, provided for some portion of the State claims, but it being deemed objectionable, was opposed in the House of Representatives, and did not receive the sanction of that body.

On the 12th of February last, the House of Delegates of Virginia sanctioned the report of a select committee, in which an allusion is made to this subject in the following terms: "This bill passed the Senate unanimously; but as the Honorable Senator (Mr. Giles) who affords this information subjoins, it remained unacted upon in the committee of the lower house till the Session in which it was moved had nearly expired; a delay which he imputed to an intimation from the department of war, that at that particular time the provisions of the bill were not altogether acceptable to that department, an intimation which the honorable Senator adds occasioned him the more surprise because he had certainly understood the Honorable Secretary as yielding his assent to the principles of the bill."

It appears as well from the proceedings in the Legislature as from a letter written by your Excellency which is now before us, that this subject is viewed in Virginia with much sensibility, and it is due to ourselves and to the Secretary of War, who appears to be also implicated, that the erroneous impressions which have been entertained should be corrected.

If indeed we did suffer a bill to slumber without any adequate reason being assigned which would have reimbursed to the State an expenditure of money for the benefit of the Union, we have justly incurred the imputation of neglecting its interests, and if such neglect be fairly ascribable to an intimation from the department of war, that at that particular time the provisions of the bill were not acceptable to that department, our conduct was the more reprehensible as proceeding from unjustifiable motives. The bill which passed the Senate so far as relates to payment of Militia expenditures, is as follows: "That whenever the Militia or any part thereof shall be called forth by the legal authority of any State or territory within the United States to repel invasion, the President of the

nited States on receiving from the Executive of such state or territory information thereof, and of the number of officers—non-commissioned officers, musicians and privates (so called forth), may, if he should deem it proper, consider them in the service of the United States, from the time of being so called forth.”

1814.
April 8,
Washington

The correspondence and report connected with this subject appear to sanction four distinct propositions.

1st. That there was an agreement to support the bill which passed the Senate.

2nd. That the Secretary of war concurred in that mode of providing for our claims.

3rd. That the failure of the bill is to be ascribed to the subsequent hostility of the Secretary; and

4th. That the bill in question was in some degree adequate to provide for our claims.

The members who waited on the Secretary of war with Mr. Giles concur in the opinion that no conversation was held in their presence tending to sanction the idea of supporting the principles of the bill in question, and that the Secretary merely stated the inadequency of the law to cover the state claims, and that Congress alone in his opinion could authorize their payment. The mode of providing for them was not suggested by the Secretary or to him by the Committee.

This fact thus supported defeats the grounds assumed under the 1st, 2d and third heads of enquiry, for if no agreement to the effect of supporting the bill in question was made, there necessarily was no concurrence in such agreement by the Secretary of war, or violation of the course approved of at his suggestion, or for any other cause.

But did this bill provide for any of the claims of Virginia? It did not. Its operation was prospective merely—was confined to *future* cases

of military expenditure of a particular character, and had no bearing upon existing claims. There were, independently of the consideration of the bill from the Senate did not act upon the past serious objections to its prospective operation, it related only to unauthorized calls upon the militia, and subjected the officers of the United States having the custody of “ammunition and flints” to the order of the commander of the militia for their delivery, and in case those articles were not to be otherwise obtained, the militia officer was authorized to purchase them at his discretion. We think it sufficiently shewn that no charge of neglecting the interests of Virginia, so far as we declined to press the passage of the bill from the Senate, is justly imputable to us, and that a candid examination of the subject, independently of a reference to that bill, will prove that no blame attaches to us for omitting to procure their allowance hitherto. It will be recollected that the May session of Congress was called for the particular object of providing a system of internal taxes.

1814.
April 8,
Washington

The difficulty of doing business other than that for which the Congress had convened, produced in some degree by the inclemency of the season and the impatience of the members to adjourn, rendered it impolitic at that time to have pressed the consideration of amendments to the bill from the Senate, which to have effected anything, must have totally changed its principles; and altho' much of the present session had elapsed without doing anything to provide for the payment of the claims of Virginia, the fault, if there be any, is not ours. In order to a due understanding of the subject, and to ascertain how far legislative provision is necessary, it is indispensable that the claims should be exhibited to the proper officer of the war department for settlement. Yet altho' we are informed by the report of the committee that there was due to the State on the 26th of February, 1813, "the sum of \$31,683 09 cents, that on the 24th of May, 1813, it had reached the sum of \$94,847 88 cents; that it was on the 14th of December last \$382,141 78 cents; that it now (12th of February, 1814,) amounts to \$444,049 56 cents, and that it is daily increasing." It is a fact that to this day no accounts have been exhibited since the one dated 26th of February, 1813, amounting in the whole to \$31,683 97 cents only. In the settlement of such accounts as are payable by the United States, it appears to us that with a view to uniformity as well as justice, the States and the Union, there should be an exhibition of the items and vouchers which support them, and that a different practise would be fraught with much inconvenience and be liable to abuses which Virginia would be as prompt to discountenance as any of the States; but if this precaution be unnecessary, and the mere exhibition of charges is sufficient, there can certainly be no just cause for complaining at the non-payment of the accounts subsequent to the 26th of February, 1813, when they have never been presented for payment. Whenever they are exhibited it will become the duty of the officers in the war department to apply the principles of existing laws—not to supply the defects of their provisions. The province of those officers is simply to decide how far the law justifies a payment of the claims, and not what the law should be, and arguments tending to shew the justice and expediency of providing for repayment of money expended by a State to aid "in the common defence," are misapplied when addressed to any other than the legislative department of the government.

We have the honor to be with sentiments of respect,

Your Excellency's Mo. Obe't Servants,

Hugh Nelson, James Breckenridge, J. G. Jackson, Jno. W. Eppes, John Smith, Wm. McCoy, Jas. Pleasants, Ju'r, John P. Hungerford, John Roane, P. Goodwyn, Fr's White, Thos. Gholson. Aylott Hawes, Tho. Newton, John Clopton, Jno. Kerr, D. Sheffield, Jos. Lewis, Ju'r, H. Caperton, J. Johnson.

LANGDON CHEVIS (SPEAKER H. R.) TO THE GOVERNOR.

I have the honor, by direction of the House of Representatives of the U. States, to inform you of the death of the Hon. John Dawson, late a Representative from Virginia in that House, and of the consequent vacancy in the Representation of that State in order that you may be enabled to take such steps as you may deem proper to fill the vacancy.

1814.
April 8,
Washington

I am, &c.

WM. WIRT (CAPT. FLYING ARTILLEY) TO THE GOVERNOR.

The Corps of Flying Artillery raised last summer in the moment of alarm, was trained through the summer and fall with all the assiduity which the emergency required, and which our equipments rendered practicable; a few more trainings, with the advantage of guns, caissons, and horses, would, I am convinced, have accomplished this corps in all the evolutions which belong to their duty, and have qualified them for the most effective service. It will be remembered that the company was drawn from the line of the city regiment under the authority and by the earnest desire of the Executive, and was known at the time to consist in a very great degree of mechanics whose circumstances did not enable them to keep horses. It will be remembered, too, that the men, aware of the kind of service which was expected of them, enquired before they joined the corps, whether the horses were to be furnished by themselves or by the public, and were informed that they would be furnished by the public; on the strength of which assurance they engaged. I have already had the honor of submitting to the Executive a letter from W. W. Henning as deputy Adj't-General, in reply to one from myself last summer on the subject of the horses necessary to train the corps which was placed under my command, and which I understood as an authority to hire at the public expense the horses necessary to mount the matrosses, as well as those necessary for the draught. This misapprehension was corrected by the Governor in Nov'r last, and I was advised to incur no further expense until the sense of the Legislature on this subject should be understood. I did so, and the result has been that the Legislature has expressly prohibited the incurring any expense in the training of corps of Flying Artillery. Under these circumstances it would be idle in the Company under my command to remain longer together; to do so without the means of discipline, would be to promise what we could not perform, and to foster expectations in the public which we should inevitably baulk in the hour of danger, to the injury of any other troops to which we might be attached and our own inevitable and perpetual disgrace.

April 10,
Richmond

1814.
April 10,
Richmond

The Company therefore considers it a public duty to lay down the character of Flying Artillerists and to fall back into the body of the Militia, with which view the Executive will be pleased to consider my commission as Captain of the Richmond Flying Artillery as resigned herewith.

I understand this course to be consistent with the view expressed by the Governor when the company was raised, and therefore I adopt it.

I am, &c.

JAS. BANKHEAD (ASST. ADJT. GENL.) TO THE ADJUTANT GENERAL
OF VA.

April 12,
Norfolk

It is with the greatest mortification I have to inform the Executive of Virginia that every effort to induce the Troops who were called out under the Law of April, 1812, to volunteer their services until other Troops arrived, has proved abortive except with the Cavalry, some of the Artillery, and a few of the Infantry. Our force is now reduced to a very inconsiderable number and this Port is much exposed.

The discharge of a great portion of the United States Troops enlisted for twelve months has left but the name of an army here. The Enemy have four seventy fours, six or eight frigates, and many smaller vessels in the Bay, and should they hear of the considerable reduction of our force may avail themselves of our weakness.

The propriety of ordering from the adjacent counties an equal number of men with those discharged, to remain here until the Troops who are ordered from the remote parts of the State and who cannot get here for two or three weeks do arrive, is submitted to his Excellency the Governor.

The requisition for the Troops to supply the place of the three month's men whose service will expire at different periods in May and June will be forwarded by to-morrow's mail.

I have to request instruction as to the disposition of the damaged arms, &c., and to beg that a portion of the men destined for this place may be armed as they pass through Richmond—say one hundred Rifle men and three Hundred Infantry.

Permit me to suggest the advantage of sending the damaged arms to Richmond. They cannot be repaired here, as we have no armory or armorers.

I enclose to you a report of the State property in the Military Store.

I am, &c.

G. JOYNES (ADJ'T 2ND VA. REG'T) TO COL. T. M. BAYLEY.

bedience to your orders of yesterday requiring me to make you a statement of the Enemy's force, I make you the following report I have collected from the different posts on duty and from Thomas d, who has been on board the Admiral's Ship. There are 6 in view: one the Albion, 74, Admiral Cockburn; 1 the Chesapeake U. S. frigate; the 50 Gun Ship Armade, Trowbridge; the all appear to be Frigates. They also appear to have 1 Brig, said ne Annaconda; one Sloop Tender, one large schooner carrying two ng Topsails, and a number of small schooner Tenders, which they btained from the Island people. They have been in Little Anna- and Destroyed 7 Small bay craft, 5 of which belonged to this they have settled a large number of wells on Tangier Beach, and uilt several good houses, and have also thrown up a breastwork ounted cannon on it, and say they intend making it an hospital mmer. We have on duty about 200 men, which is too small a defend our extensive Bay Coast exposed to the enemy. Upon nination of Thos. Sharrod, he says that the enemy said that they d, as soon as they could make proper arrangements on the to send a flag on shore demanding of us provisions, and in case refused, they intended to land a sufficient force to take such sup- they wanted, and they would scour the whole country. Troops on duty are in high spirits, and had much rather risque ugement than be so frequently harrassed.

1814.
April 13,
Onancock

I am, &c.

CONSTANT FREEMAN (COL. COMD'T) TO THE GOVERNOR.

erday I received from the Adjutant-General in Washington an of which I have the honor to enclose your Excellency a copy. If ier-General Chamberlayne were here, I should immediately de- ver to him this command. General Porter is expected to arrive in rse of a week.

April 14,
Norfolk

unfortunate a decision had not been sooner made on the construc- the Act of the 10th of April, 1812. The six months' men have enerally discharged; very few, except the Cavalry, have volun- to remain until the 25th of the present month. I request your ency would be pleased to hasten the relief, which we expect from ders of the 31st of last month. Our weakness is alarming. The f the enemy increases.

I am, &c.

1814.

ADJUTANT AND INSP'R GEN'L'S OFFICE,
WASHINGTON, *April 9, 1814.*

SIR,—Brigadier General Chamberlayne of the Va. Militia having been ordered into the service by the Executive of that State, he will take command of Norfolk and its dependencies until General Porter arrives. You will be pleased to deliver said command to him with such instructions. &c., respecting the same as you may have in your possession.

With respect, I have the honor to be, Sir,
Your most obed't servant,

J. B. WALBACK,
Adj't. Genl.

Col. Constant Freeman, Norfolk, Va.

THOS. M. BAYLEY TO THE GOVERNOR.

April 14,
Accomac
C. H.

At 11 o'clk on Monday night, the 4th Inst., I received information from Captain George Scarbrough that the Enemy had anchored in Pocomoke Sound, near the mouth of Onancock and Pungoteague Creeks, in one large Frigate, a brig and two schooners. That having taken all the live stock from Watt's and Tangier's Island, it was evident from the position that was taken, an invasion of the County was intended. I ordered on duty four companies of the Second Regiment, and formed four camps on the bay shore; one on the north, and one on the south side of the mouth of Pungoteague Creek, one on Onancock Creek, one on Chesemfrix Creek, and ordered the other companies of the Regiment to be ready to march at a moment's notice. The companies on guard have been relieved after a tour of six days, by four other companies. The Regiment (13 companies), I have formed in three divisions, and assigned six days' duty to each. The Enemy has taken soundings of the mouths of our Creeks. The enclosed reports, the one from Major Fenny at Pungoteague, the other from Adj'n't Joynes at Onancock, will inform you of the force and situation of the enemy. It is evident he intends fixing a permanent Camp on Watts and Tangier's Islands now in his possession. Barracks and two Hospitals are built, a breastwork is thrown up and cannon planted, and a fort is building. Three or four vessels with timber have been captured.

When the enemy took possession of the Islands he permitted two of the Islanders to come to the main. Captain Ross of the Albion giving them a passport and ordered them to return. An old gentleman who had been on the Island with a flag, I saw last night, and from him and the two Islanders I am informed that these Islands are to be their headquarters; that in a very short time they will be well fortified, their cannon landed, and their Camp laid out on a large scale.

y have plenty of good water, and a fleet with the Commander-in-
is daily expected with an army of ten thousand men. As soon as
et arrives active operations would commence. Newspapers con-
g the President's message, recommending a repeal of the Embargo,
ceived on board the fleet four days sooner than in this county;
e newspapers are regularly received. I was also informed that
ould land in this county to obtain provisions; that they knew the
th of the militia, and should land with five thousand men, and
o doubt but they should experience some hard fighting.

1814.
April 14,
Accomac
C. H.

mediately upon my being informed that the enemy had registered
man on the Islands, numbered their boats and canoes, and would
no one to leave the Islands without passports with orders to
, and considering their men thus situated would give the enemy
information they could, I ordered all persons coming from the
s to be detained, of the propriety of which order I wish your
n and direction. I expect to be attacked. I believe the second
ent will do their duty, but our arms are bad, our ammunition

In stopping a boat at Chissemfrix, which attempted to pass, the
of the small arms were not thrown more than two-thirds the dis-
expected. We have only twenty-five thousand Cartridges. We
daily communication on to Phila. by Wilmington. The price of
age is three dollars a hundred to Phila., 200 miles. At that city
ilmington ammunition might be purchased to advantage if your
ency would authorize it.

a desirous to receive from your Excellency orders directing how
e guards should be continued and the number of men on each
a. Surely the drafted men from this Regiment will not be ordered
he County. I was on active duty the last mail day. This mail
ly) offers the first opportunity since the enemy has appeared, to
to you.

I am, &c.

WILLIAM LAMBERT TO THE GOVERNOR.

siderable alarm has been produced among the inhabitants of the
n parts of Northumberland and Lancaster counties in the course
s week by the appearance of several vessels in the Chesapeake, and
attempt of the Enemy to take some small craft out of a branch of
nico river, in which they did not succeed, being driven off by the
without loss on our side. They have, however, captured a
er laden with sugar, coffee, whiskey, &c., on her return from Bal-
to Moschetto creek, with the owner on board, whom they still
as their prisoner. Guards have been lately fixed at convenient
on the bay side. This measure, altho' it may prevent the landing

April 15

1814.
April 15 of small detachments and the desertion of negroes, yet it will prove injurious to the poorer class of people at a season of the year when plantation business requires peculiar attention.

I am, &c.

ELLISON CURRIE (Q. M. 92ND REG'T) TO THE GOVERNOR.

April 18,
Lancaster
C. H.

It is important certainly at all times, but more especially when the country is involved in war, that the people should be kept as well affected toward the Government as possible. The pressure of the war in this State is particularly felt in the parts of the country bordering on the bay and navigable rivers. The people are frequently called from the occupations by which they obtain the means of supporting themselves and their families. They are subjected to the loss of their slaves, and in many cases are stripped of all their property. To all this may be added the personal insult and injury to which they are exposed from an enemy whose conduct is more that of barbarians than civilized men.

There can be no disposition, I am sure, on the part of the government to increase these burthens.

That these people when called out into actual service are to be furnished with the means of living, is a matter of course; but how this is to be effected, under the regulations which it is understood the Executive have adopted, is a subject not very pleasant to think of.

It seems the Executive have determined not to allow more for rations than eighteen cents each. From the most accurate calculation it has been ascertained that rations cannot be procured at the cash value of provisions in this part of the country for less than twenty-three cents. A contract might however be made at twenty cents I believe; it is impracticable from every trial which has heretofore been made to make a contract at less. Thus whenever a detachment of Militia is called out it becomes the painful duty of the quarter-master or his sergeant to take by force from the house-keepers contiguous to the Camp the meat and bread on which their support depends, and leave them to starve or subsist on the charity of their neighbors. It is to be expected that discontents must be the result of such a course, and if persevered in it will go very far to weaken if not alienate the affections of the people. We are very ready to believe that a laudable disposition to manage with economy the public purse, has induced the Executive to adopt this measure, but even on the score of economy it is believed a contract for rations at twenty or even twenty-three cents would be preferred. For in addition to the value of the articles of provision impressed, considerable expense must be incurred in conveying them, scattered as they usually are to the place of rendezvous. For example, a barrel of whiskey or

randy is procured in one place, beef or pork in another, flour or meal a third, and so on of the other component parts of the ration.

Permit me, Sir, to observe that a ration was considered by the Legislature of 1812, worth twenty cents, which will appear from an act of that session, by which officers were permitted to commute their rations for money at that rate. See sessions acts of 1812, page 15, sec. 3.

It is hoped and confidently believed that the Executive will take this subject into serious consideration, and make such an allowance for rations will enable the officers of the staff department to procure them by contract.

I am, &c.

We the undersigned officers of the 92nd Reg't Militia, have examined this letter and concur in the statements therein expressed: John Chowng, Lt.-Col., Jos. B. Downman, 2nd Lt., Cavalry, Opie Dunaway, 2nd Lt., Artillery, A. J. Palmer, Lt. R. Company, Jas. Robertson, Ensign R. Comp., Spencer George, Major, Sam'l M. Shearman, Capt. In., Thos. Farby, Capt. In., Thomas Armstrong, Capt. Art., Wm. T. Yerby, Capt. Co'y.

BENJ BRIGGS (BRIG.-GENERAL) TO THE GOVERNOR.

Inclosed is my commission, which you will please to receive as my signation; owing to my old age and inability of Body, I think myself no longer able to perform the duties required of me by virtue of said commission.

I am, &c.

N. B. I have given orders to the Commanding officers of Regiments the training of the officers; also to the Brigade Inspector to attend the training of officers, which I expect will be done. I have also issued orders to the Lieut.-Colonel Commandants to draught their Coto of men led for to march to Norfolk agreeable to orders directed to me from the Deputy Ad. General.

BENJ'N BRIGGS.

JOHN ARMSTRONG (S'C'Y) TO THE GOVERNOR.

I have the honor to acknowledge the receipt of your Excellency's Let- of the 7th Inst.

Requisitions for Militia, when made by the General Government, are for Regiments and Brigades as such. If two thousand militia are led out, and it be the intention of the Government that they should be in Brigade, a Brigadier-General will be required. If otherwise, it is *in detachment*, none is wanted and none will be required.

I am, &c.

1814.
April 18,
Lancaster
C. H.

April 18
West
Liberty

April 18
War
Departme

WILLIAM LAMBERT TO THE GOVERNOR.

1814.
April 22,
Lancaster
Co.

On Monday morning the 18th Instant, four British barges filled with men passed up the Rappahannock in my view on their way to Carter's Creek where they captured two schooners, one light called "Filicity," the property of Rawleigh Carrill, residing on that Creek, the other called the "Antelope," James Hughes master, bound from Fredericksburg to Baltimore with two hundred and fifty barrels of flour on board—they also took some sheep belonging to the Estate of Martin Shearman, Esqr., lately deceased; this was effected without opposition, it being not only court, but election day for Lancaster county, of which the enemy by some means not yet discovered, must have been apprized. They sailed down the river in apparent triumph, followed on the shore by a few Militia and joined their ship lying in the bay.

This morning the same number of barges passed up to Carter's Creek, and took some negroes belonging to the Corotoman Estate. They were fired at by five or six of our Militia and one of the enemy supposed to be an officer was seen to fall, they are at this time going down nearly in the middle of the river in full view of the place of my residence. Should they attempt to land at any point below they will probably meet with a warm reception.

I am, &c.

JAMES SINGLETON TO THE GOVERNOR.

April 23,
Winchester

An act of the last Assembly, authorizing a company of flying Artillery to be raised in each Brigade, has induced me, upon the application of Mr. John Mackey, to name him for the command of that company, to which the 16th Brigade is entitled.

Mr. Mackey is the son of that worthy man lately dead, Doctor Robert Mackey. Mr. Mackey has had a virtuous and liberal education; he is sober, sprightly, active, prudent; commanded a platoon in the action at Williamsburg, in Canada, under Boyd, with great credit, and I think him every way qualified for the command. I avail myself of this opportunity to assure your Excellency that for your official and personal success you have the best wishes of

Yours, &c.

J. ARMSTRONG (S'C'T WAR) TO THE GOVERNOR.

Your Excellency will receive herewith a report from Col. Wadsworth in relation to Fort Powhatan.

1814.
April 25,
War

The suggestions of this officer will be adopted and the block houses Department built.

I am, &c.

RICHMOND, 1814.

The Hon'ble John Armstrong:

SIR,—In obedience to your orders, I have visited Fort Powhatan, situated on James River, below Richmond, and have now the honor of submitting to you such considerations as have been suggested, as well by an examination of that Post as by information obtained from persons well acquainted with the navigation of that river, and the geographical relations of the surrounding country.

The river has not sufficient depth of water for ships of the line except at its mouth and a little way above—Frigates can ascend as far as Harrison's Bar, which is a shoal situated 12 or 15 miles above Fort Powhatan. No more than 18 or 19 feet of water can be found on Harrison's Bar. The Enemy contemplating an attack on Richmond by the way of James River (supposing Fort Powhatan out of the way), would probably decide upon landing below Harrison's Bar for two reasons. 1st, His Frigates and heavier ships must remain below the bar. 2nd, The windings of the river would not admit a prosecution of the voyage quite up to Richmond without a shift of wind. It is therefore to be presumed the enemy in the case supposed, would calculate on landing at Westover, 3 or 4 miles below Harrison's bar, and distant from Richmond 25 miles.

Were the situation of Fort Powhatan such as to necessitate the Enemy to stop below the mouth of Chickahominy River, I should deem it a post of some importance, for by destroying the bridges on Chickahominy, the direct march of the enemy to Richmond could be considerably impeded, and time thereby gained to assemble the force of the country for the defence of its capital; but below Fort Powhatan, and above the mouth of the Chickahominy, are two landing places open to the Enemy; one at Cameron's, distance 35 miles, and another and a better still lower down at a place called Sandy Point, distance 45 miles from Richmond.

On the south bank of James river the Enemy could land below Fort Powhatan at a place called Brandon, distant from Petersburg 28 miles.

From the foregoing exposition it must appear that the only substantial advantage obtained by fortifying at Fort Powhatan, is that of compelling the Enemy to land at Cameron's at 35 miles distant, or Westover at 25 miles distance from Richmond.

1814.
April 25,
War
Department

We ought to attain some more important object, it seems to me, when we incur the expense of fortifying and garrisoning a post.

Were a sufficient Fort and Battery established at Jamestown, or even lower down, since it could not be attacked by ships of the line, and the Enemy would not venture to go directly against it with Frigates only, nor could he prudently attempt to pass it with his Transports and store ships, in order to effect a landing above, he would be constrained to relinquish altogether the attack of Richmond and Petersburg by the way of James River, for a landing below Jamestown would place him upwards of 60 miles from Richmond by the most direct Route. York River, which affords sufficient water at its mouth for his line of battle ships, would suit his purpose better. Armed vessels of the smaller classes may ascend York River to a place called West Point, distant about 30 miles from Richmond. The reasons which induced the British in 1871 to pitch upon York river as a port to be occupied and fortified, were, I make no doubt, substantial, and it is to be expected would influence their conduct again in a case any way similar.

The design of Fort Powhatan, in my opinion, is bad, being an imperfect star redoubt—a species of work at best more for shew than real utility; but admitting the design to be tolerable, the execution is incomparably bad.

The revetement or facing of the walls is partly of Earth and partly of Brick, with the latter placed *above* the former, with no solid foundation that I can perceive to sustain it, so that it is quite surprising to me the walls have not tumbled into the ditch. I presume it would have happened so had the parapet been of a proper thickness; that possessing but about 6 feet, including the wall, can hardly be considered sufficient to repel a 6-p'd shot, and the barracks encroach upon it so near that we cannot on the inside fortify it sufficiently without removing them. The unnecessary elevation of the barracks expose them to be set on fire (they being constructed of wood) with too great facility—an accident which must induce an immediate surrender of the Fort. There are several other defects I omit to mention.

No way occurs to me of improving and repairing the works at Fort Powhatan (I mean if we do not stop short of making it really respectable and capable of resisting for a short time a determined attack), except by incurring an expense as great and perhaps greater than would suffice for the construction of an original work of a better design.

Under present circumstances, therefore, the best course I can point out, is to leave the Fort as it is, with an exception of some alterations and repairs of no great magnitude, and commence the building of two Block houses on the out side, one to the East or South East, the other to the South west, so placed as to intercept the attack of the Enemy against the Fort itself. The Block houses might be constructed after the plan of

one I lately proposed to have built at Warburton. They should be of two stories, built of incumbustible materials, and surrounded each of them by a redoubt having the Parapets cannon proof and sufficiently elevated to secure the lower stories from being demolished by cannon. Thus constructed and with a few resolute men posted in them, they would be capable of making a respectable defence against a greatly superior force, and perhaps hold out until succor could be brought up; at any rate the time consumed by the enemy in landing Troops and cannon for the attack would be an essential benefit.

1814.
April 25,
War Department

The Block houses proposed, ought to cost, I should guess, about 2000 or 2500 Dollars a piece, and the redoubts to cover them 600 or 800 dollars apiece. These should be palisaded and fraised, and no pains spared in rendering them as perfect field works as possible.

It may not be amiss to sink a well in the Fort or one of the Block houses, though I think it will be extremely difficult for the enemy entirely to cut off our communication with the river while the possession of the Fort and Block houses can be maintained.

The Guns mounted in the upper Battery ought to be considered adequate to defend the channel of the River independent of the lower Battery, the guns of which are quite too much exposed to be well served in close attack of ships. I should therefore choose to abandon the lower battery entirely as being both unnecessary and injudiciously placed. The materials could be advantageously employed in the repair and erections proposed to be executed.

Since I began this Letter I have been informed by Major Gibbons there is a very suitable situation for a battery intended to oppose the passage of James River at the point of shoals, near the mouth of the River. There the channel, he tells me, is quite narrow and approaches very near a pretty elevated Bank of the River. These circumstances combine the principal advantages to be sought after in selecting a situation of the kind.

I am, &c.

WILLIAM LAMBERT TO THE GOVERNOR.

At the time of writing my last letter, it could not be ascertained to what extent the depredations of the enemy on the Corotoman Estate were carried; it appears since that they took sixty-nine negroes (42 the property of Joseph C. Cabell, and 27 of Charles Carter), and about sixty Sheep. On Saturday morning the 23rd instant, they landed on the Rappahannock near Windmill or north point, and plundered a poor man of the name of Hinton of a boat, everything he was worth. As they were carrying off the last remains of booty, a detachment of Militia fired

April 29,
Lancaster
Co.

1814.
April 29,
Lancaster
County

across a creek upon them, on which they dropped a bag of Meal, &c., ran with all speed to the barges, and made off to their ship, then anchored near the point threatening vengeance in the hearing of our Militia, on the inhabitants. On the Monday following, the ship sailed up the bay. In the course of this week, five of their large vessels were seen from different places in Lancaster and Northumberland. It is expected and not without reason, that farther attempts will shortly be made by British Troops to land and pillage the people in this quarter.

I am, &c.

WILLIAM TATE (BRIG-GEN'L) TO THE GOVERNOR.

May 1,
Washington

Tendering his resignation as Brigadier-General of the 17th Brigade of Virginia Militia.

JOSEPH WHEATON (A. Q. M. GEN'L) TO THE GOVERNOR.

May 4,
Richmond

It being the wish of some members of the late Petersburg Volunteers, residents of this city, to commemorate the anniversary of the Sortie made by that company and others from Fort Meigs, I take the liberty to request the use of two 4 or 6 pounders, which shall be well taken care of and the favor gratefully acknowledged.

I am, &c.

CHRISTOPHER TOMPKINS TO THE GOVERNOR.

May 8,
Piping Tree

Enclosing a letter from John Patterson, Esq., narrating the capture in East River, Mathews County, of a schooner formerly belonging to Isaac McKeinen, of Baltimore, loaded with 1,050 Bbls. of Flour.

This capture was effected during the night, for want of a guard, with a piece of Artillery at the mouth of the River.

General Orders.

ADJUTANT-GENERAL'S OFFICE,
RICHMOND, May 8th, 1814.

In compliance with a requisition on the Militia of this State by the President, signified through the commanding officer at Norfolk, to replace troops whose term of service will shortly expire, the commandants of the 8th, 11th, and 15th Brigades will make the following details, viz.:

From the 8th Brigade—438 officers and men, which, *including* Capt.

John M. Galt's company of Artillery, Surry, and Capt. John Mitchell's company of Riflemen, Sussex, will be detailed in the following proportion: 1 Major, 4 Captains, 8 Lieutenants, 8 Ensigns, 20 Sergeants, 24 corporals, 2 Drummers, 2 fifiers, and 369 privates.

1814.

From the 11th Brigade—537 officers and men, which, *including* Capt. Mathew Simm's Company of Artillery, Halifax, Capt. Doct. C. Williams' Company of Riflemen, Pittsylvania, and Capt. James Howerton's company of Riflemen, Halifax, will be detailed in the following proportion: 1 Lieut.-Colonel, 5 Captains, 10 Lieutenants, 10 Ensigns, 25 Sergeants, 30 Corporals, 3 Drummers, 3 Fifiers, and 450 privates.

From the 15th Brigade—589 officers and men, which, *including* Capt. Ralph Hubbard's company of Riflemen, Mecklenburg, and Capt. Theodrick Walker's Do., Dinwiddie, will be detailed in the following proportion: 1 Lieut.-Colonel, 5 Captains, 10 Lieutenants, 10 Ensigns, 25 Sergeants, 30 Corporals, 4 Drummers, 4 Fifiers, and 500 privates.

A due proportion of the quota from such Brigade will be taken from the *Light Infantry* by *entire* companies, as the law directs. The whole will proceed to Norfolk (which is hereby established as the place of rendezvous) and report themselves to the commanding officer at that port.

The troops from the 8th Brigade will proceed *without delay*. Those from the 15th Brigade will arrive as follows: One detachment on the 24th May, one on the 8th June, and the balance on the 12th. And those from the 11th Brigade at the following periods: Two detachments on the 10th June, one on the 21st, and the ballance on the 25th.

The Infantry will go unarmed to Norfolk, where they will be supplied from the public Arsenals. Such of the riflemen as have public arms will take them along. It is expected that the whole number required will take the field.

The Commandants of Brigades will apportion the number equally among the different Regiments, allowing each a credit for the service it has performed over and above the requisition of April, 1812. The 59th Regiment is exempted from this requisition, as it has already performed its due proportion of service.

All claims to exemption from duty must be made before a Regimental Court Martial, to be held for the purpose of hearing excuses. The men will be mustered and inspected by the Adjutant of the Regiment, or some officer specially appointed by the Commandant as mustering officer, who, together with the officer commanding the company and the Regimental Surgeon, must sign the muster-roll and be responsible for its correctness. Three sets of muster-rolls must be made out for each Company, forms of which are herewith sent. Let the column of *names* be filled first, with the commissioned officers according to rank; then with the non-commissioned officers and musicians; and lastly, with the privates in *alphabetical order*. In the column for *names present* let the

1814. names of those in the first column be repeated where they are *actually present and pass inspection*; and under the head of Remarks, &c., let such facts be noted as are worthy of remark, and have occurred in relation to any one of them opposite his name. It must also be noted whether he be a substitute or not.

One copy of the muster-roll, when complete, must be forwarded to this office, another retained for the use of the commanding officer of the Company, in making out his pay-roll, &c., and the third for the commanding General at Norfolk.

Captain Joseph Wheaton, Assistant Deputy Quartermaster-General at this place, will furnish the necessary means of transportation, forage, &c., and make arrangements for the supply of provisions, &c., on the march.

The above troops are called into service under an act of Congress passed the 18th of April, 1814, and will consequently serve six months, unless sooner discharged.

By order.

CLAIBORNE GOOCH, D. A. G.,
For MOSES GREEN, A. G.

Each detachment will be made to consist, as near as practicable, of 1 Captain, 2 Lieutenants, 2 Ensigns, 5 Sergeants, 6 Corporals, 1 Drummer, 1 Fifer, and 100 privates.

JAMES BANKHEAD (ADJ'T-GEN'L) TO CLAIBORNE W. GOOCH (DEP. ADJ'T GEN'L.)

May 11,
Norfolk

The arrangement you have made in your General Orders of the 8th instant meets the approbation of the commanding General.

General Porter requests me to state to his Excellency the Governor, that until the regulars recruited in Virginia shall have arrived at this Post, the number of militia will not be diminished, and begs that the whole number required may be ordered on as soon as practicable.

I am, &c.

General Orders.

ADJUTANT-GENERAL'S OFFICE,
RICHMOND, 13th May, 1814.

In compliance with a requisition on the militia of this State by the President, signified through the commanding officer at Norfolk, to replace Troops whose term of service will shortly expire, the Commandant of the 6th Brigade will detail 492 officers and men, which, including Capt. Levi James's Company of Riflemen, of Loudoun, will be appor-

tioned in the following manner, viz.: 1 Major, 5 Capts., 11 Lieutenants, 13 Ensigns, 29 Sergeants, 39 Corporals, 4 Drummers, 4 fifiers, and 386 privates. A due proportion will be taken from the Light Infantry by *entire Companies*, as the law directs. The whole will proceed with the least possible delay to Norfolk, which is hereby established as the place of rendezvous, and report themselves to the commanding officer at that post. The Infantry will go *unarmed* to Norfolk, where they will be supplied from the public arsenals. If the Riflemen are armed with public Rifles, they will take them along. The men will be mustered and inspected as directed by the General Orders of the 8th instant.

1814.

Capt. Joseph Wheaton, A. D. Q. M. Gen'l at this place, will furnish the necessary means of transportation, forage, &c., and make arrangements for the supply of provisions on the march. The above Troops are called into service under an act of Congress passed the 18th of April, 1814, and will consequently serve six months unless sooner discharged.

THOS. GREGG (CAPT. IN THE 56TH REG'T) TO THE GOVERNOR.

It is with extreme reluctance I take upon myself to trouble you, but I consider it a duty incumbent on me as an officer and a citizen to address you on a subject in which hundreds, and perhaps thousands, of the citizens of Virginia are deeply interested. I regret to see the great sacrifice of property that is about to be made; the honest and good citizens of this Commonwealth seized on and dragged to prison like criminals, who look up to you as a father and defender of their legal rights, and hope for that protection they have failed to receive from a Court Martial.

May 18,
Loudoun
County

The General Orders from the Adjutant-General's office, Richmond, March 24th, 1813, called out a certain portion of Militia detailed for Service under the General Orders of April 19th, 1812, ordering the said Militia to march to Richmond, the place established as the general rendezvous. Many failed to comply with this call; some being of that respectable denomination of people called quakers; others, for various reasons, appeared willing to subject themselves to the penalties of the law, which amounted to a fine not exceeding twelve months' pay.

A second requisition was made on this county, I believe, some time in July last. The men that were held in requisition, and failed to go to Richmond under the General Orders of the 24th of March, 1813, though the time they were called for had not expired, were again ordered under a second call from the United States to march to Alexandria. They likewise failed to comply with this call. At a special Court Martial, of which I was a member, convened at Leesburg some time since for the purpose of assessing the fines on those of the 56th and 57th Reg'ts of Virginia Militia that failed to march to Richmond and Alexandria,

1814.
May 18,
Loudoun Co.

according to the orders of the President of the United States. Those same men were fined for not marching to Richmond, ninety-six dollars, and not marching to Alexandria, ninety-six dollars, which fines amounted to the enormous sum of one hundred and ninety-two dollars for failing to perform military duty within the course of six months. And they are sentenced to be imprisoned one calendar month for every five Dollars they fail to pay of the said fines, though many of them, to my certain knowledge, are not worth half that sum.

I would call the attention of your Excellency to the 26th section of the Militia Law of Virginia, passed January the 28th, 1804, which says a non-commissioned officer or private failing to report to the place of rendezvous, &c., shall forfeit a sum not exceeding Eighty Dollars, to be adjudged and determined by their respective Bat'n Com'ts of enquiry, and moreover shall be enrolled in the class destined to perform the next tour of duty. No Bat'n Court of enquiry was held in this County last summer between the time the militia were called to Richmond and Alexandria. Of course they were not adjudged and enrolled by that Court; neither do I think that that Court had any jurisdiction over those called into service and held in requisition under the authority and by the laws of the United States, passed February 28th, 1795, under which those men were tried and fined ninety-six Dollars for each offence, although this law does not say they shall be enrolled in the class destined to perform the next tour of duty.

The 4th Section says no officer or private of the militia shall be compelled to serve more than in due rotation with every other able-bodied man of the same rank in the Bat'n to which he belongs; yet those same men have been called upon (under the laws referred to, or the laws existing in 1813,) to serve two tours within the same six months under two calls from the United States, which was impossible to perform (although not one-eighth of the militia of the 56th and 57th Reg'ts were called out the first, and not so many the second call). If these grievances are allowed to exist, the property of many Individuals will be sacrificed and the jails filled with the unfortunate people.* If these grievances should legally come under your notice, I hope you will not fail to relieve the sufferers as speedily as you conveniently can, who are looking up to you with anxiety and hope. I should be glad to hear from you on the subject.

I am, &c.

* The Quakers.

WM. MATTOX (MAJOR 62ND REG'T) TO THE GOVERNOR.

The term of service of the men now stationed at Fort Powhatan being nearly expired, and in consequence of the death of the late Col. Miles Selden, the duty of Commandant of the 62nd Reg't having devolved on me, I have taken the liberty of applying to your Excellency for instructions in regard to the mode of supplying at least a sufficient guard for the safety and preservation of the public stores deposited at that place.

1814.
May 20,
Prince
George

I am, &c.

JOHN C. COHORN (BRIG'R GEN'L) TO THE GOVERNOR.

I will avail myself of the present opportunity to signify to your Excellency my intentions of resigning the office of Brigadier General, and have herewith forwarded my commission.

May 26,
Suffolk

To particularize the reasons which influence this determination, I presume, unimportant.

I am, &c.

DAVID HARDGRAVE STATEMENT.

He was sent on the 27th of May in the barges of the Loire Frigate, rated at 38 but carries 50 Guns, Thomas Brown, Captain, to Smith Island at Cape Charles, to take live stock. The parties carried away one bullock and 30 sheep, and while putting them in the barges he deserted.

About one month past the said Frigate with a transport of provisions came to Tangier Island, then training to make soldiers at the Camp on the Island seven hundred negroes; the negro women and children were sent to Bermuda and Halifax. While he was at Tangier a barge from the Jaseur Brig, then up the bay, came down to the fleet and brought information that the brig had one hundred negro men on board who would be sent down in a day or two to the Camp on Tangier. That negroes were then on shore with money to entice the slaves to go to the ships. That after dark the barges were sent near the shore. The negroes who wished to get on board made signals by raising a light, when the barges would go and take them off—a barge usually carried 500 men. He, the said Hardgrave, was born in Boston, and at the age of three or four years was taken to England by his father, where he had been ever since 'till he entered into the service 7 years ago.

The foregoing statement was made to me by David Hardgrave at

1814. Drummond Town, May 30th, 1814. Same day the deserter was directed to go to New York where he said he wished to get, saying he had a sister there, and was by trade a sail maker. I permit no deserter to stay in the County.

THO. M. BAYLY.

THOS. M. BAYLEY (LT. COL 2ND REGT.) TO THE GOVERNOR.

May 31,
Accomack

On yesterday morning at half past 7 o'clk., a very heavy cannonading was heard at my house, and instantly an express informed me that the enemy in a Tender and seven barges were entering Onancock Creek. I expected his intention was to attack Onancock Town, about 8 miles from me, but when I reached that place I found he was in Pungoteague Creek 8 miles further; that he had come close in the mouth of Onancock Creek, caused an alarm to be sounded at that station to draw the Militia there, and then pursued his course down to Pungoteague.

At 9 o'clock I fell in with a part of two companies of Infantry, about fifty, with our elegant brass cannon and about twenty-five old men who had joined them about one mile and a half from where the enemy were engaged. Here I received the information that the enemy had landed below, a station where I had heretofore had a guard, with five hundred men partly negroes, all in full uniform; that he had captured a cannon and was then formed in line in a large open field, about a mile in advance from his landing place. Believing that he intended to retain his ground during the holidays, that the slaves from Accomack and Northampton might join his standard, or that his intention was to obtain live-stock, I communicated to the officers and soldiers then present, my plan to attack him in front and retreat, to draw him further from his boats, while detachments from the right and left was to cut off his retreat to his barges. I entertained no doubt, but during the day to have a force amply sufficient to effect my intention (and I should not have been deceived). I then went and joined Major Finney and his detachment about half-past 9 o'clk, when the enemy was leaving our shores defeated. The point of land where he landed was on a point of marsh, on the north side of Pungoteague creek, a quarter of a mile below a station where I had heretofore fixed a guard, but had broken it up about the time of my last communication to your Excellency. Pungoteague and Onancock Creeks run about three miles apart, nearly parallel. seven miles in the country; a large road runs down this neck of land nearly an equal distance from both creeks, with a thick woods on each side. A guard of thirty men was placed on the south side of Pungoteague creek, but they could render no assistance—the enemy always without the reach of their musketry. At 7 o'clock the enemy crossed the bar of Pungoteague in eleven barges and launches in two divisions. The centre barge wore a

1814.
May 31,
Accomack

large broad Flag ; two Tenders, a sloop, and schooner lay off in the bay close in. Upon their first fire (an 18 lb. cannon), the Albion 74, Rear Admiral Cockburn's ship, in full view, was decorated with a great number of elegant colours.

Lieutenant Thos. Underhill of the Artillery, who had charge of a cannon at his house (about one mile from the station before mentioned), with it and five men repaired to that place. He was soon afterwards joined by Major John Finney, who lived on Onancock creek, and with ten men had been watching the enemy from his first appearance. At $\frac{1}{2}$ past 7 the enemy commenced his attack upon Major Finney with 18lb shot and Congreve Rocketts, which was returned with rapid firing by Lieutenant Underhill. Soon afterwards Captain Isaac Smith, who had been stationed on Onancock creek about four miles from that place, made his appearance with 20 men, and occupied a pine wood on the right. The enemy then opened his fire upon Capt. Smith, and at the same time upon the detachment stationed on the South side of Pungoteague creek, and the attack was then general. The enemy used his 18lb., 12lb., 4lb., cannister and grape shot and congrave Rocketts with great profusion, but without effect. He soon landed from eight barges and Launches one quarter of a mile from Major Finney and Lieutenant Underhill, and gave three cheers ; put about 30 negroes in full uniform in front and rushed upon the Major, receiving and giving a continued fire. Major Finney ordered Lieut. Underhill to retreat with his cannon, but the Lieut. not having men to take off his cannon, charged with cannister shot, and when the enemy had reached him in column about 100 yards distant, he gave him a well directed fire, spiked his cannon and effected his retreat. The enemy then advanced with 30 negroes, 400 or 450 sailors and marines, as nearly as I can ascertain, and took possession of a large open field, and with a small party the house of John Smith, aged 76, near to it, and formed a Battalion about one mile from his landing place. Major Finney with 15 men now occupied a thick skirt of woods on his right, and Captain Smith with his 20 men occupied a thick woods on his left. During the whole of this time an incessant fire of musketry was kept up on both sides, with cannon and congrave Rocketts from the barges then in the creek, three of which had never landed and had moved up the creek. In a short time the enemy rushed to the woods occupied by Captain Smith, drove him from it and took possession. This woods was nearly united with the woods occupied by Major Finney ; between them was an open field nearly in the form of a triangle, with a fence on each side. The enemy had the advantage of Major Finney in having a ditch and bank on which his fence was placed, the ditch next the woods. In this situation each advanced along their fence towards the angle of the field, keeping up an incessant fire, when about one hundred yards apart, the bugle horn sounded from the barges a retreat which was instantly and

1814.
May 31,
Accomack

cheerfully obeyed. At this place a negro in full uniform was left dead; he was in advance. They were one mile from their barges; half of the distance was marsh. His retreat was rapid and without order except a corps of 80 marines who covered their retreat. They entered their barges and made all sail to their Fort and Camp on Tangier Island.

Six wounded men or dead bodies were seen to be carried in blankets to their barges, and blood was found at three places. Our loss, one private badly wounded, but not dangerously.

In this action, Major Finney has proved himself to be an officer brave and judicious. Capt. Smith honorably discharged his duty. Lieut. Underhill lost his cannon, but I hope the daring courage he displayed will excuse him with your Excellency, and that you will confide to him another. The other officers, non-commissioned officers and privates, behaved as they ought to have done, and I cannot understand who discharged his duty best. But I must not omit mentioning old Mr. Benjamin Phillips, who now resides near Hampton. He formerly lived in Accomack, where he was born, near the place of this action, and was on a visit to his friends. He joined Major Finney in the action, and continued with him throughout the whole, and pursued the enemy to their barges.

The exertions made, and the desire to meet the enemy by the other officers, non-commissioned officers, and privates of the Second Regiment, must have removed any doubt on my mind, if one ever existed, that they will equally distinguish themselves when an opportunity offers.

If the Enemy had continued on shore, by 2 o'clock I should have had a force amply sufficient to effect his capture or destruction. By that time nearly the whole of the Second Regiment would have reached the field, and we were most nobly joined by a proportion of our old citizens from 45 to 60 years old. I am persuaded the enemy must have observed the militia collecting in every direction, or he would not have sounded a retreat, for he effected nothing.

The enclosed statement will shew you our loss, and give you some information of the loss of the Enemy.

I have the honor to be, &c.

Statement of loss sustained by 2nd Regiment Va. Militia at Pungoteague, Whit Sunday, 1814:

Ezer Kellom, private, wounded badly, believed not mortal.

One Iron 4 lb. cannon, made at the Virginia manufactory, captured; the ammunition chest saved.

Two barracks, about 20 feet square, each built very rough of Pine plank, burnt. 4 pieces of bacon, 1 small hog taken from Mr. Smith. Many articles of his furniture was prepared to be taken off, but was abandoned when the Retreat sounded, and some dressed beef dropped in their way to their boats.

by the enemy on the field, in the woods on the march, two sword one gilt; near it a boarding pistol, marked W. S., and with blood on it; 4 Cartridge boxes, 1 musket, 3 boarding pikes, 3 Cutlasses, onets, 200 Musket Cartridges, several shoes. The dead body of a in full uniform.

1814.
May 31,
Accomack

HAS. BAGWELL (LT. COL. 99TH REGT.) TO THE GOVERNOR.

being my opinion that a full representation of the perilous situation of County of Accomack ought to be made known to your Excellency, I have taken the liberty to enumerate those of the greatest importance. The British at this time have erected a strong Fort on Tangier Island within the limits of the County. A ship of 74 Guns with several other vessels, are stationed within Nanticoke Sound opposite the Island. A considerable number of negroes in their Fort, which it is reported they are training to the use of the Musket. And from this County several boats have run to the shipping, which are said to be excellent Pilots of the Creeks and Harbours along our Coast.

June 9,
Accomack

Our barges almost daily off the mouths of our Creeks, and a descent was actually made on Sunday the 29th of last month at Pungoteague, a skirmish ensued, the particulars of which shall leave to the commandant of the 2nd Regiment to detail.

In consequence of the enemy having such a formidable force in our neighborhood, I have thought it for the safety of the upper part of the County to order out two companies of Militia, and have divided them so as to guard four of the most exposed situations. To-wit: Hunting Creek, North Creek, Misongo Creek and Pocomoke River, and shall continue to do so as long as provision can be procured or the danger disappears.

In the active exertions of Captain John Drummond a Company of volunteers have been raised; they are without cannon or arms of any kind and munitions. If it is practicable to have them furnished, shall I be under an obligation to your Excellency to write me when it may be needed. Several Volunteer Companies have been raised lately, and one of them Riflemen, which I consider as the most efficient force that can be employed in our County if Rifles can be procured. Mr. George D. Capt., Mr. Thos. B. Custis and John B. Walker, first and second lieutenants, were elected by the above Rifle Corps who are spirited young men and I believe will make excellent officers.

My opinion is that to grant commissions to Volunteer Companies will serve no good purpose, except they can be furnished with arms, as it creates disgust among the officers of the Companies from which the men are withdrawn, and will fill our County with Supernumerary officers, and I believe several companies of them will be reduced below the number the law requires.

I am, &c.

R. E. PARKER (LT.-COL. 111TH REG'T) TO THE GOVERNOR.

1814.
June 11,
Westmore-
land Co.

On Thursday, the 2nd Inst., a negro man, the property of a citizen of this County, appeared at his master's, from whom he had some months before fled to the enemy, with a story of his having escaped from ye Tangier Island on the Tuesday night before, in consequence of his being badly treated, and of the fear he entertained of being sold in the W. I. His tale was credited, but hearing of it myself on Friday, I had him arrested and examined on Oath. He was so plausible and artful, that, notwithstanding I suspected his designs, yet there appeared nothing against him that would justify me in keeping him under guard. His master, however, and others, promised to keep over him the strictest watch, and communicate to me their observations of his conduct. On Sunday I learnt that an old free woman had on that day revealed the intention of this negro's returning to the Enemy, with many others, and that on that night the Barges were to be in Yeoconico to take them off.

The militia were ordered; the negro arrested late in the evening, and every preparation taken to defeat the scheme.

On Monday night, I again commenced the examination of this fellow, and of several others charged with a participation in the scheme. After a very long and minute investigation, it turned out that this Fellow had been set ashore in Northumberland by the Enemy about 10 days before he made his appearance to his master. That he was sent to spirit away as many slaves as possible, who were to be taken off in their barges at Barren Point, in Northumberland, on Sunday, the 5th Inst.

That they were to fire two Guns to let him know they were at the mouth of Potomac, and would be true to the appointment; and that he was at Night to hold up *a lighted candle* as a signal that himself and party were ready. It is to be remarked that this signal of two Guns was given from a large ship of the Enemy, which anchored in or near the mouth of the Potomac on Sunday evening. He informed further that black men on going on board had their choice to become blue Jackets, *take up arms*, or join the working party. That the few who chose to take arms were trained on the Island occupied by British officers, with what views he knew not. That the force on the Island when he left it was not more than 200 men and two pieces of Artillery.

Thinking it probable, and this fellow declaring, that if the Enemy were in view at any time, they would come ashore on the signals being displayed, I went over to Northumberland on Thursday evening last with thirty-odd men, on whom I could rely, to try the experiment at or near to Barren point. But unluckily the weather was very bad, and as no Enemy's vessel was in sight, so the expedition failed, but the experiment will be repeated at a proper time.

The Northumberland slaves are every day effecting their escape, and

I am confident that unless some vigorous measures are adopted and a sufficient force allowed us, this whole peninsula will be stripped of its most valuable personal property.

1814.
June 11,
Westmore-
land County

In many places corn fields are deserted and turned out, and every appearance of insecurity and wretchedness exhibited.

I am, &c.

THOS. M. BAYLEY (LT.-COL. 2ND REG'T) TO THE GOVERNOR.

Knowing the multiplicity of business which constantly engages your Excellency, I have avoided forwarding dispatches except when I considered it absolutely necessary.

June 11,
Accomack

From events which have lately occurred, and from information I have received, this part of Virginia will be invaded whenever the enemy considers he can profit by it. I have sent Lieut. Wise to you; he will inform your Excellency the position of my guards, the force and situation of the enemy, and to endeavor to obtain cannon and Rifles and ammunition. Lieut. Wise is ordered by the way of Baltimore with directions to call on Major Gen'l Smith (to whom I have written), to aid him in the purchase of ammunition and to stop at Washington and communicate to the Governor of the U. S. the state of fortifications on Tangier's. Indeed, Sir, the Enemy can and ought to be driven from that place soon. They have now but few cannon mounted, and are daily expecting a large supply. Now a landing might be effected on the north end of the Island and the camp carried. I received your Excellency's letter of the 25th April on the 3rd of May, and requested Col. Cropper, who visited Philadelphia upon private business, to engage powder and Ball in Wilmington or Philadelphia to the amount of three hundred dollars, and forward it to me; the money to be paid by draft upon the Executive of Virginia, and I gave Col. Cropper your letter showing I had authority to draw. He has returned and informs me that he could not obtain the Powder and Ball without the cash (perhaps Lieut. Wise can obtain it at Baltimore). I have been careful of the ammunition, the officers and soldiers account for all delivered to them, and all are impressed with the importance of preserving it. I entertain no doubt of its not being wasted. The 2nd Reg't has had neither arms, ammunition, or any military stores of any kind captured since the war, when on their way to Accomack nor after they arrived (except at Pungoteague the 29th ulto.), nor do I think the danger great when the bay is crossed in the night. I should, however, to avoid all hazard, recommend to the Executive to forward hereafter supplies to this county by the way of Annapolis to Cambridge in Dorchester County, Maryland, 90 miles from Accomack Court House. The enemy are very seldom as high up the bay.

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Capt. Leven S. Joynes has not obtained his commission from Richmond—his company is large and in handsome uniform. They have fixed up two old 4 lb. cannon which have been lying out since the Revolution, and are rendered very inferior by the rust. I wish to obtain the six pound cannon; two for him and one to supply the six pounder from Capt. J. G. Joynes' company the 29th ulto. The brass 4 pound cannon I wish to keep to move from the Court House to any point of attack. The enclosed return from Capt. J. J. Teakle will show you what he wishes. Capt. Teakle thinks himself neglected, having never received his Rifles. His company in uniform has our most inferior muskets. Lieut. Wise is also anxious to establish a company of Riflemen, and should commissions issue, no doubt can be entertained but that they will be usefully and honorably employed.

We have no rifles on this shore, but should they be forwarded to the two companies the inferior muskets will be taken out of the Regiment for we shall then have a sufficiency of good arms. In consequence of the letter from the Dep'y Adj.-General of the 9th of May, written in order of your Excellency, which I received on the 2nd Inst., I assembled the field officers and the Captains of the Regiment, and now forward their accounts by Lieut. Wise for settlement, who will receive the money. The Quarter Master has made all his purchases for cash prices. The officers and citizens have advanced to the paymaster cash upon loan, but, Sir, would it not be advisable to forward Cash in advance, or a draft upon the Sheriff, who informs me he will advance money to my order authorized by you. The great expence which this Commonwealth and the Government of the U. S. has to encounter, the calculation of the Enemy upon destroying our revenue—I have avoided all expenses which were not absolutely and indispensibly necessary, and accordingly have refused to have purchased many articles for the Camps which seem to be required to be purchased. It would give me great pain if it should appear to your Excellency that the public money had been wasted. To save expense, I called into service only two companies of Infantry, at the time of my last communication to you, and fixed 4 camps, but the Enemy having attacked Occahannock, I have been compelled to fix a guard there. Many of the most respectable citizens think the guard ought to be increased, but I continue to refuse to comply with their repeated applications, thereby avoiding expense and to permit the poor militia to spare some time to labour and support their families; and from an alarm created on Monday night, the 31st Inst., it may safely be avoided. On that night alarm Guns were fired, and by one half hour past sun in the morning I had the pleasure to see at the place of expected attack two hundred of the militia and citizens exempt from military duty. On the 21st ulto. I ordered all the canoes and boats within the limits of the regiment on the sea and bay shores to be taken from the

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mers and secured. This is very severe upon the poor who supply their families by fishing, but has prevented the negroes from going to the enemy, and perhaps from their obtaining some provisions. But 15 slaves have deserted to the Enemy from the limits of the Regiment since he has fixed his standard on Tangier. I have caused to be arrested several persons who I suspected traded with the Enemy, and all travellers who are strangers, are required to give an account of themselves before they are permitted to pass in the County. I have also been compelled to refuse permission to the Islanders from coming to the main, and hope thereby to cut off all intercourse. I have received information (the truth of which I do not doubt) that the Islanders supply the fleet with fish and shell, for which they are well paid; that it is a voluntary act on their part. My duty would be arduous and difficult had I not the divided support of the Regiment; although the strictest military discipline has been required and performed of men who never before knew what hardship and restraint were, yet any order which I have issued has been promptly and willingly obeyed.

Since the attack on Pungoteague, two Islanders have come off, one to Accomack and one to the limits of the 99th Regiment. One says that the Enemy on that day lost 8 killed and 14 wounded, the other 6 killed and 14 wounded. I am informed that one object they had in view that day was to cut out the Schooner Hiram. When the Enemy took possession of Watts and Tangier Island the 5th of April, he anchored on Tangier Spit two miles from his fleet, the schooner Hiram of New York with 800 Bbls. (which he had captured), as a buoy. To the masts were nailed large boards with a chart of the harbour drawn on them, and the courses and distances to the principal Rivers and harbours in the bay. From this vessel all the ships coming up the bay sent their boats for information; no person ever stayed on board the schooner. Upon receiving this information, a plan was formed at Pungoteague guard to take advantage of the night and a strong North west wind and cut her cable. This plan the Enemy was afterwards informed of, but before it was executed a violent N. W. Gale the last of April, she parted her cable and came ashore between Andua and Pungoteague Creeks. The Enemy still believe she was cut out to endanger their ships on the shoal; and on the 1st of May in the night, with 3 or 4 barges he attempted to enter Occahannock, having mistaken it for Pungoteague, but was repulsed by a guard I have established on Occahannock. The schooner Hiram is in possession of the citizens who secured her after she came on shore, and is insured by agents of the Patapsco insurance Company, Baltimore, and is to be sold this evening. Is not the Commonwealth of Virginia or the U. S. entitled to the Hiram?

Your Excellency will excuse me for asking your advice. 1st. Should I apprehend traitors supplying the Enemy with provisions, shall I send

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Accomack

them to Richmond to be tryed in the Federal court or deliver them over to be tryed in the Superior court of Law in this County? 2nd. Should any property of the Enemy as the case of the Hiram, be driven on shore, shall it be claimed for the State of Virginia or the U. S., and by whom? 3rd. In case of peace, and the Enemy should abandon Tangiers and not destroy his camp, it will be valuable, and I expect he will give it to the Islanders; shall it be taken possession of for the State or U. S., and by whom?

Your Excellency will excuse me for this tedious communication, nor have I time to make it more connected.

I am, &c.

DRUMMOND TOWNS, *June 10th, 1814.*

DEAR SIR,—Since you requested me to draw a chart of the Eastern Shore of the Chesapeake contiguous to the Enemy's fortifications on Tangier Island, I have been so much engaged that I could not possibly comply with your request. I hope, however, by notes of reference to Madison's Map of Virginia, I can convey such information as may answer the object contemplated by you. Madison's Map, so far as relates to the Eastern shore and the contiguous Islands, is on the whole extremely incorrect. Tangier Island is actually situated very near the place where Watt's Islands are laid down on the Map, and Watt's Islands between there and the contiguous Main land.

The British ship Albion, Admiral Cockburn, has remained for two months anchored in the Sound between Tangier and Watt's Islands, very near to Tangier. The Enemy's Barracks, Hospital, &c., are near the south end of Tangier, within gun-shot of the Albion. The situation of the Albion with respect to the different creeks on which guards are stationed is nearly as follows, beginning at the most northerly: From Deep Creek the Albion bears about W. by S. distant, 13 miles. Chesconessix Creek is actually situated about where Onancock is laid down from which the Albion bears West, distant, 12 miles. Onancock is about 3 miles south of Chesconessex; from Onancock she bears about N. W., distant 13½ miles. Pungoteague is about 5 miles South of Onancock; from there she bears N. N. W., distant 16 miles. Occohannock is about 9 miles south of Pungoteague; from there she bears about N. by W., distant 22 miles. Watt's Island is about 5 miles from Chesconessix.

I am informed the enemy frequently has sentinels all around Watt's Island. From there he has obtained a considerable quantity of Fuel. The Sound between Watt's Island and the main has been navigated by the Enemy's Frigates, and is, I believe, navigable by a ship of the line. A shoal (called the Spit) extends from the South End of Tangier as low

down as opposite Pungoteague; and another from Watt's Island extending equally low—so that the ships of the Enemy, when going up or down the bay from Tangier, have to go down as low as Pungoteague before they can cross the shoal.

1814.

I have the honor to be,

Y'r obed't serv't,

THOS. R. JOYNES.

Col. Thos. M. Bayly.

N. B.—Deep creek at the Guard is about 250 yards wide; Chesco-
nessix about 500 yards wide; Onancock about $\frac{3}{4}$ of a mile; Pungoteague
; mile wide; Occohannock about $\frac{3}{4}$ of a mile wide.

T. R. J.

JOHN FINNEY (MAJOR 2ND REGT.) TO THE GOVERNOR.

George D. Wise, Esqr., having raised a company which he purposes
for a Rifle Corps, and being desirous of obtaining Commissions for the
same, I beg leave to state for your Excellency's information that in my
opinion he is every way qualified for such a station, and that such a corps
provided they could obtain Rifles, would be highly useful to us in our
present harrassed situation.

June 12,
Accomack

I am, &c.

WM. R. CUSTIS (MAJOR 2ND REG'T) TO THE GOVERNOR.

Recommending George D. Wise for a commission as Captain of a
Rifle Company, which he has already raised in Accomack, and enclosing
muster roll of same, and certificate of his election as Captain by the
company.

June 16,
Drummond
Town

THOS. M. BAYLY (LT.-COL. 2ND REG'T) TO THE GOVERNOR.

The accounts of the Regiment against the State not being ready to be
forwarded when I expected, Lt. Wise has been detained until to-day.

June 16,
Accomack

Yesterday were arrested, according to orders, three men from the
Island. It was the day of sale of a quantity of Sugar, the cargo of the
privateer Moro, of Baltimore, at Drummond Town, where a large num-
ber of persons from this and the neighboring counties was collected.
These Islanders came off in the morning, but not to make purchases.

Middleton Mason, from Fox's Island, upon examination, I considered
had no evil intention, and it being the first time that he had been off,

1814.
June 16,
Accomack

and pleading ignorance of orders to that effect, was discharged. James Parker and Josiah Parker are proprietors of Watt's Island. James Parker I have permitted to return, having his canoe examined by an officer previous to leaving Hunting Creek. Josiah Parker I have ordered into custody of the guard, and wish your Excellency's advice what is best to be done with him. I have no doubt of his improper intercourse with the Enemy, who is in possession of his Island. He has been on shore on various pretences. On the 20th of May he came on shore with Thos. Martin, in Martin's Shallop, with a negro man of his mother's. I gave orders that the Shallop should be watched privately, and when about to return to the Island to be boarded and examined, which was accordingly done.

There was found on board sundry articles of provisions which he alledged he had permission from Col. Isagwell to take on the Island. Enclosed is a paper obtained from Martin, who stated he had been in Annamessex (Maryland), for his vessel, and had obtained a flag from the commanding officer of Militia there to go on board the Admiral's Ship to endeavor to get a canoe which had been taken by slaves who had gone over to the Enemy, and permission to bring round his vessel. Martin's and Parker's tales do not agree. I reprimanded them, and permitted them to depart, ordering Parker not to return while his Island was in possession of the Enemy. He afterwards came off, and last week again, but returned without my knowledge, as he landed both times within the limits of the 99th Regt. Yesterday however again finding him off I arrested him. He seemed determined to live with the enemy, and to come over to the main whenever he pleases. I was informed yesterday that no flag had been granted from Annamessex.

There are very many strong circumstances against this man. It would be very desirable to have your Excellency's order prohibiting all intercourse between these Islands and the main land; and in case of their persisting in coming off, what must be done with them.

I am, &c.

A Copy.

This is to certify that Josiah Parker has permission from Rear Admiral Cockburn to bring some cows from Annamessex (on the main), to Watt's Island.

Given under my hand on Board H. M. ship Albion, 13th of May, 1814.

CHARLES B. H. ROSS.

JOHN BLACKWELL (BRIG.-GEN'L) TO THE GOVERNOR.

A Law having passed by the General Assembly of this Commonwealth on the 14th day of February last, making it the duty of the Brigadier-Generals to attend the several Regimental musters in each year within their respective Brigades without compensation—thinking, as I do, that the public interest will not be advanced by it, and having arrived at a period of life which would make the duty required of me very inconvenient, you will therefore, Sir, please to accept my resignation as Brigadier-General commanding the fifth Brigade of Virginia Militia.

1814.
June 18,
Fauquier Co.

I am, &c.

General Orders.

ADJUTANT-GENERAL'S OFFICE,

RICHMOND, *June 22, 1814.*

The probability of an invasion from the Enemy during the present Summer, and the uncertainty at what moment it may be attempted, render it necessary that the most effectual precautionary measures be immediately taken to resist such attempt. The Commandants of the 38th, 102nd, 23rd, 39th, 83rd, 62nd, 71st, 15th, 74th, 30th, 16th, 45th, 25th, 3th, 33rd, 52nd, 87th, 9th, and 19th Regiments will therefore parade their respective Regiments, in Battalion, for the purpose of inspecting arms, accoutrements, Ammunition, &c., in their possession.

They will make to this office special reports without delay of the order and condition of the whole, the deficiency in any respect which may exist, and what articles are indispensibly necessary to place them in the most respectable posture of defence. Should any delinquencies exist, the law in relation thereto must be rigidly enforced. Every Company shall be immediately placed in requisition, and held in complete readiness to take the field at a moment's warning. The Commandants of Regiments contiguous to the probable theatre of invasion, will be vigilant in watching the movements of the enemy. Should he manifest an intention of making a descent upon any particular point, the commandants obtaining such information will lose no time in communicating it to the Commandants of Regiments, from which succour can be derived, with orders to proceed forthwith with their commands *en masse* to the places of General Rendezvous, hereafter detailed to check his operations.

The troops from Goochland, Powhatan, Caroline, Chesterfield, and the Upper Battalions of Hanover and Henrico will rendezvous at Richmond. Those from Dinwiddie at Petersburg. Those from Prince George, Surry, and Sussex at Fort Powhatan. Those from King George, Spotsylvania, and Stafford at Fredericksburg, or between the Potomac and Rappahannock, if the approach of the enemy be up the former river. If the

1814. movements of the Enemy be up York river, the troops from Essex, New Kent, Charles City, and the lower Battalions of Hanover and Henrico will rendezvous at New Kent court house, or to such point higher up the river as circumstances may render proper. And those from King William and King & Queen at Bottom's Bridge; but if his movements be up James River, those from Essex, New Kent, Charles City, King William, and King & Queen at Westover, in which case the lower Battalions of Henrico and Hanover will rendezvous at 4 mile Creek.

The men will not wait to march in a body, but proceed when ordered by squads to the place of general rendezvous.

Let every officer and private *be on the alert*. The war may probably in a short time assume a different character.

In such an event Virginia will, doubtless, engage no small portion of the Enemy's attention. Inflated with the most splendid successes in Europe, he will omit no exertion or preparation to make us feel his strength. How disgraceful would it be if slumbering in imagined security, we should be found *unprepared* at the hour of his coming. But reasoning of this sort is unnecessary to rouse the martial spirit of Freeman and Soldiers. They must see the propriety and feel the importance of vigilance and activity.

The danger of indulging a further hope of peace without prompt and efficient measures to meet the most vigorous attempts of the enemy, must be obvious to all. The officers, particularly, in whose fidelity, courage, and activity their country has placed implicit confidence, mindful of the sacred trust, will use every exertion in preparing their respective commands to acquit themselves as becomes Americans.

By order.

CLAIBORNE W. GOOCH, D. A. G.,
For MOSES GREEN, A. G.

THOS. M. BAYLY (LT.-COL. 2ND REG'T) TO THE GOVERNOR.

June 23,
Accomack

On the 19th Inst. I released Josiah Parker, ordered his canoe searched, and him to return to Watt's Island, Majors Custis and Finney believing it was the best and most prudent so to do, as a habeas corpus would have been applied for from Judge Evans, and probably he would be released, and the effects resulting from a legal discharge would have encouraged others who have acted as Parker, to pursue their nefarious practices. In my opinion these times require energy and decision in those who are commanding in this County, which in parts of the Country differently situated would not be justifiable, and should a difference of opinion exist between the Judicial and Military authority of this county, I shall greatly lament it, because the worst consequences may ensue.

It now appears that my suppositions against James and Josiah Parker and the inhabitants of Tangier were well founded. These people will not hereafter be friendly to the citizens within the limits of the 2nd Regiment, because they are prohibited coming within the limits of the Regiment.

1814.
June 23,
Accomack

At 6 o'clock on the evening of the 20th Inst. a British barge was discovered from the Camp at Chessenessix coming from Watt's Island. He came to the shore and proved to be the first cutter, as they called her, of the Albion, or the admiral's boat and crew—viz., a coxen and ten oarsmen. They had been sent to Watt's Island, landed a Lieutenant, and deserted.

The guards of the 2nd Regiment on duty have on many occasions greatly required a barge of this description to detect improper intercourse by fishermen and others with the Island, and if we could obtain our barges for this Reg't, we could capture some of their Tenders and oarsmen, who almost daily visit the mouths of our creeks. I, therefore, purchased from the deserters the barge (of ten oars), with sails and oars complete, for fifty Dollars, for the use of the Reg't, but should this purchase not meet your Excellency's approbation (which I wish to be informed of) the barge, &c., will remain the property of some of the officers of the Regiment, and no charge against the State.

After examining the deserters, I gave to each a certificate, and they set off immediately for Baltimore by land. A copy of Statement (C) is enclosed, believing it best to forward it to your Excellency. The district

Vienna comprehends the County of Dorchester, Maryland, eighty miles from this place. The deserters are young and well looking men, apparently all between the ages of 20 and 30 years. They state the name of the Albion to be selected.

The force of the Enemy in Tangier sound for several days past, were the Albion, 74, Endynicon, Frigate on the 21st were joined by a Brig yesterday (22), a ship, 74, or a Frigate of the first-rate, anchored 4 miles below the Albion; two large schooners and a number of Tenders. This is a strong force. To-day, at 12 o'clock, a small schooner from the bay, with a white flag at her mainpeak, went to the Admiral.

Yours, &c.

C.

The examination of Nicholas Johnson, David Robinson, William Robinson, John Stevenson, Richard Collins, John Martin, William Thomas, John Turner, James Baker, Thomas Evers, all natives of England and Scotland, and Antonio Allicant (a black man), Spaniard, taken before Jos. M. Bayly, Lieut.-Col. Com't 2nd Reg't Va. Militia, on the morning of the 21st of June, 1814.

1814.
June 23,
Accomack

Say that they deserted from Watt's Island yesterday evening; that they are Seamen belonging to his Britanic Majesty's Ship Albion, now in Tangier harbour, and bearing the Flag of Rear Admiral Cockburn, C. Ross, Captain.

The crews at Tangier lately became very sickly with the Flux, Capt. Ross now sick; the water lately turning brackish and bad.

Admiral Cockburn expects soon to be relieved.

The ship's crew have been on short allowance for 2 months, but now have plenty, having obtained a supply from Bermuda.

The Fort on Tangier's not now completed, only three sides done; those sides are two hundred and fifty (250) yards long. It is an extraordinary large Fort. Now mounted 8 twenty-four pound cannon, and the 6lb. cannon captured at Pungoteague 29th May. Now landed and soon will be mounted 18 and 24lb. cannon—they arrived on Friday last in the Endymion Frigate, and a great number of large cannon are daily expected. The fort is to be made compleat, and is to be the head quarters of the Commander in chief. The Harbour is very good, large and safe. Mr. Fenwick is the engineer building the Fort, which was planned in England. Mr. Fenwick came out in the Spring in the Superb, 74, and was put on board the Albion the day after the fleet came to Tangier's. Now laid out on the Island very large gardens and vegetables of all sorts growing in great perfection. Now grazing on the Island 18 bullocks and cows; the meadows good. A hospital to contain 100 sick now built, also a church and 20 houses built, all laid out in streets. Only 48 negroes now on the Island, they are soldiers; only 4 Black men on board the Albion, but a great many on board the Dragon and the vessels blockading Com. Barney in the Petuxen.

They the deserters were all in the engagement at Pungoteague, they expected that there was two Batteries of 6 guns each, one on each side of the Creek. Capt. Ross of the Albion commanded the expedition under him, master of the Ship Toms and Lieutenants Scott and Blood — The officers of the Dragon not known. Eleven boats, Launches, Barges — and Pinnaces, 10 fighting boats carrying 400 troops and 5 negroes. A signal Gun was fired from the Albion Saturday afternoon, and the Dragon's boats came along side 10 o'clock at night, and they all immediately left the ships. In the morning entered Onancock by mistake. They intended to have stormed the Camp on the south side of Pungoteague, but their ammunition gave out.

Of the Albion's crew 1 killed, two died of their wounds and two wounded, now living. Midshipman Frazier was wounded, and died of his wounds: he was very young and a great Favorite of the Admiral and the whole ship's crew. He was about leaving the service, and was to return home on the first vessel—had an income of five thousand pounds a year. The Admiral buried him with military honors.

The ships now at Tangier's, are the Albion, 74, carrying 83 Guns. dymion Frigate, carrying 44 Guns. At the Capes, Acasta Frigate, rying 44 Guns. At New Point Comfort watering, Armide carrying 40 ns. Blockading Com. Barney in the Petuxen, Dragon 74, Com. Barrie; ire, Frigate; Narcissus, Frigate; Jassur, Brig; and the St. Lawrence, hooner.

1814.
June 23,
Accomack

General Orders.

ADJUTANT GENERAL'S OFFICE,

RICHMOND, 29th June, 1814.

In compliance with a requisition on the Militia of this State by the esident, signified through Brig.-General Porter, commanding at Norfolk, replace troops whose terms of service will shortly expire, the Com- andants of the 7th, 17th, 18th and 19th Brigades will make the llowing details, viz:

From the 7th Brigade, 1 Lieut. Col., 5 Captains, 10 Lieutenants, 10 signs, 25 Sergeants, 32 Corporals, 6 Drummers, 6 Fifers, and 463 ivates.

From the 17th Brigade, 1 Lieut. Col., 4 Captains, 8 Lieutenants, 8 signs, 21 Sergeants, 26 Corporals, 4 Drummers, 4 Fifers, and 429 ivates.

From the 18th Brigade, 1 Lieut. Col., 4 Captains, 8 Lieutenants, 8 signs. 21 Sergeants, 26 Corporals, 5 Drummers, 5 Fifers, and 376 rates.

From the 19th Brigade, 1 Major, 3 Captains, 6 Lieutenants, 6 Ensigns, Sergeants, 18 Corporals, 4 Drummers, 4 Fifers, and 358 privates.

A due proportion of the quota from each Brigade will be taken from *Light Infantry by entire Companies* as the law directs. The whole proceed to Norfolk, (which is hereby established the place of ren- sious) and report themselves to the Commanding General at that t.

The troops from the 7th Brigade will arrive at the following periods, : One detachment* will proceed without delay ; one will arrive by 19th, and one by the 28th July, and the balance by the 2nd August. Those from the 19th Brigade as follows: The Major by the 1st; one achment by the 3rd; one by the 4th, and the residue by the 7th of gust.

Those from the 18th Brigade as follows: the Colonel by the 2nd; one achment by the 17th, and the residue by the 27th of August. And se from the 17th Brigade by the 30th of August.

The Infantry will go unarmed to Norfolk, where they will be supplied n the public Arsenals. It is expected that the *whole number required* l take the field.

The Commandant of each Brigade will apportion the number in such

1814. a manner as to place all the Regiments in his Brigade upon an *exact equality*, allowing each a *credit* for such services as it may have performed.

All claims to exemption from duty must be made before a Regimental Court Martial to be held for the purpose of hearing excuses. The men will be mustered and inspected by the Adjutant of the Regiment or some Officer specially appointed by the Commandant, as Mustering Officer, who together with the Officer Commanding the Company and the Regimental Surgeon, must sign the Muster roll and be responsible for its correctness. Let the column of *names* be filled first with the Commissioned Officers, according to rank; then with the non-commissioned Officers and Musicians, and lastly with the privates in *Alphabetical Order*. In the column for names present, let the names of those in the first column be repeated where they are *actually present and pass inspection*; and under the head of Remarks, &c., let such facts be noted as are worthy of remark and have occurred in relation to any one of them opposite to his name. It must also be noted whether he be a substitute or not. One copy of the muster-roll when complete must be forwarded to this Office, another retained for the use of the Commanding Officer of the Company in making out his pay-roll, &c., and the third for the Commanding General at Norfolk.

Captain Joseph Wheaton, Assistant Deputy Quarter Master General at this place will furnish the necessary means of transportation, forage, &c., and make arrangements for the supply of provisions, &c., on the march.

The above troops are called into service under an act of Congress passed the 18th of April, 1814, and will consequently serve six months unless sooner discharged.

Should each Colonel take his staff with him, some difficulty will arise at Norfolk in relation to them. Two Colonels being assigned to a Regiment, the Staff of one must of course become supernumerary and will be discharged. The Colonels are therefore *recommended* not to take them along.

By order.

CLAIBORNE W. GOOCH, D. A. G.
For MOSES GREEN, A. G.

* Each detachment will be made to consist as near as practicable of 1 Captain, 2 Lieutenants, 2 Ensigns, 5 Sergeants, 6 Corporals, 1 Drummer, 1 Fifer and 100 privates.

THOS. M. BAYLY TO THE GOVERNOR.

June 29,
ccomack

Enclosing Report of Capt. Thos. R. Joynes of the attack of the Enemy on his Camp on the morning of the 25th Inst.

CAMP ON CHESCONESSIX, *June 25th, 1814.*

1814.
June 29,
Accomack

R,—This morning at 45 minutes past two o'clock I received intelligence from my sentinels, that the Enemy in a great number of Barges approaching the shore near this post. I immediately formed the few stationed at this post in the rear of a little breast work, which I had run up a few days before, and found the Enemy landing within eighty yards of the breast work. I commenced to fire from my four pound piece and muskets at the same time, which the Enemy returned with an 18-pounder and a great number of muskets; and at the same time marched rapidly towards the Breast works. I kept up the fire until the Enemy was within thirty yards of my line, and having ascertained that another part of the Enemy's force had landed above for the purpose of getting in my rear and cutting off my retreat, I had no alternative but to retreat or be surrounded by nearly twenty times my force. I chose the former, and it was with the greatest difficulty I could effect the retreat of the part of the Enemy's force which was endeavoring to gain our rear. We got to the woods nearly as soon as we did. Our Field piece, Baggage, and a small amount of public stores fell into the hands of the Enemy and were carried off. The enemy burnt our Barracks and the dwelling house, kitchen and other houses belonging to old Mr. Salsbury, situated about 60 yards from the Barracks. I retreated to a field about a mile in the rear of my camp, and collected my scattered forces and some Militia of the neighborhood and marched down about sunrise in quest of the Enemy, but found he had embarked before I reached the shore.

I was extremely mortified at being compelled to abandon my Camp, situated as I was, I must either have retreated or made a wanton sacrifice of the lives of my men.

My whole force including commissioned officers, was thirty two men (the other half of my company being stationed at Deep Creek). The Enemy landed from 11 Barges; this force was at least 500, about 50 of whom were negroes. Before I ordered a general retreat, I ordered a retreat with the cannon, but soon found I should be unable to effect it. My Cannon was a very heavy long four-pounder. It is known to you, that there were no horses attached to the Cannon stationed here, and I had directed my whole attention to retreating with the cannon without firing a Gun, I could not have got it to a place of safety before we would have been overtaken by the Enemy. Every circumstance combined to favor the views of the Enemy. The night was so dark that the Enemy could not be seen before they got very near the shore; the wind and waves were directly in his favor, and the wind blowing hard, the noise of waves beating against the shore prevented the sentinels from hearing the boats until the Enemy was very near them.

1814.
June 29,
Accomack

None of my men were injured. Whether any of the Enemy were killed or wounded I could not ascertain. In the retreat I secured all the cannon ammunition. Three of my men who were attached to the cannon lost their muskets, and we found one belonging to the Enemy. From the conduct of my men in the short skirmish that took place, I am convinced that if they could meet the Enemy upon fair terms they would not disgrace the character of the 2nd Regiment.

The Enemy's force off this place at the time of the attack, was the Dragon and Albion, 74's, and the Endimyon Frigate, and several Tenders. This morning at 6 o'clock another Frigate came up the Bay and anchored near the Dragon.

The Enemy destroyed every article of property belonging to Mr. Salisbury. They threw his farming utensils, &c., into the fire, and in fact left nothing undone to completely desolate his residence, and this was done without the least provocation or justification.

I am, &c.

THOMAS WILSON (MAJOR) TO THE GOVERNOR.

July 1,
Richmond

Enclosing a communication from the Mayor of Petersburg relative to the defenceless situation of Fort Powhatan.

PETERSBURG, June 30th, 1814 -

DEAR SIR:

I beg leave to call your attention and solicit your aid, in opening the eyes of the Executive to the defenceless and dangerous situation of *Fort Powhatan*. There is upwards of seven hundred Kegs of Powder, besides all the Guns and other public property at the Fort, and only twelve men, and several of them sick, to guard it.

If our Enemy knew the situation of this place, they would most certainly destroy it; and as the Citizens of Richmond must feel equal interest with ourselves in protecting this place, I trust you'll lose no time in communicating the same to the Executive, and make known the result to

Your obedient servant,

EDW'D PEGRAM, JR., Mayor —

M. PORTER (B. G. U. S. A.) TO THE GOVERNOR.

July 4,
Norfolk

The very strong probability, if not the certainty, of a speedy attack by the Enemy, doubtless with a large force, has induced me to take the liberty of addressing your Excellency on several subjects essentially connected with the protection of this post and frontier.

1814.
July 4,
Norfolk

The troops now here do not exceed five thousand, of which nearly four-fifths are Militia drafts, mostly new and inexperienced. A force too small for the defence of the different works and numerous exposed points of this place against such an army as the Enemy will probably have it in his power to send here. Upon emergency, therefore, we must look to your Excellency for co-operation.

The troops we have here in case of a serious attack, are barely sufficient to man the works on this side of Elizabeth River, at Craney Island and Fort Nelson. The town must therefore remain exposed to the Cannonade of the Enemy on the left bank of the River from Fort Nelson to Gosport, or else to afford protection in that quarter, other points must be weakened and endangered. Now in order to be prepared at all points, I would, with great difference, suggest to you the propriety of immediately organizing a provisional force of about two thousand men, or such other number as you may deem adequate to be embodied, as soon as possible, and on the first approach of the Enemy, to rendezvous at some convenient point on the Nansemond River or the Western Branch, for the purpose of counteracting his movements, in case of his ascending either of those waters, with a view of attacking the town from the rear side of the river. For the use of this force a suitable train of artillery is in readiness.

Should you concur in this arrangement, it is hoped that it may be found convenient for you to furnish the troops to be thus assembled, with Camp Equipage, as we have here a scarcity of all articles of that kind with the exception of tents.

I would beg leave to recommend to your consideration the necessity that may exist of obstructing the principal roads leading to this place.

It can be done at little expense; and, if to be done, should commence immediately. The wood is not large or valuable, but very close. You will decide what agency the State authority should take in these obstructions which are deemed highly important. I have hitherto omitted to mention them under an apprehension of prosecution by the proprietors, and from doubts which I have entertained of my authority on the subject, I beg your interference. The expediency in case of a serious attack of moving immediately into the interior part of the State every animal and other thing which can in any way contribute to the use and subsistence of the Enemy is a subject to which I would request your earliest and most serious attention.

As this letter is not written by any direction or authority from the Department of war, I must solicit your indulgence so far as to consider it dictated by no other motive than my solicitude for the safety of this place, while at the same time, I request that it may be received by your Excellency as a private and confidential communication. I am decidedly of opinion that we may almost daily expect a visit from the Enemy. I

1814.
July 4,
Norfolk

suspect that he will endeavour to make a sudden and unexpected attack; we must therefore be ready, for not a moment should be lost.

I am, &c.

M. PORTER (B. G. U. S. A.) TO THE GOVERNOR.

July 15,
Norfolk

I had the honor of receiving your letter of the — instant a few days ago, since which time I have also received a letter from the Secretary of war, an extract of which is enclosed, authorizing me to call for such part as I may deem necessary of Virginia's quota of the late requisition of Militia by the President. The details will be made out by the Adjutant General of this post, and immediately transmitted to your Excellency for one thousand men and the necessary Staff Officers.

May I be permitted to request of your Excellency that the Militia of the vicinity of this place may be excluded from the draft for this additional force. It is desirable they may be excluded, because they can be easily assembled and employed on the spur of the occasion and for their *domestic security*.

I am, &c.

Extract of a letter from the Secretary of war to B. G., M. Porter, Comdt. at Norfolk.

Enclosed is the copy of a General requisition for Militia service for the year 1814.

The quota of Virginia is twelve thousand—and on this fund you will draw when necessary.

Requisition on the Executive of Virginia for the following Troops, being a part of those directed by the General Government on the 4th of July instant, to be held "in readiness for immediate service," to repair without delay to this Post, viz: Two Lieut. Colonels, Two Majors, One Surgeon, Two Surgeon's Mates, One Sergeant Major, One Quarter Master Sergeant, Two Principal Musicians, Ten Captains, Twenty Lieutenants, Twenty Ensigns, Fifty Sergeants, Forty Corporals, Twenty Musicians and Nine hundred Privates, making an aggregate of *one thousand and seventy-one Infantry*.

If two of the foregoing Companies could be Riflemen it would be desirable, provided they come well armed and equipped as such.

The Infantry will come armed, and ought to come supplied with proper and sufficient clothing.

One Captain, Two first and Two second Lieutenants, one Quarter Master Sergeant, Five Sergeants, Eight Corporals, Four Musicians, and

One hundred Privates of Virginia Artillery, conformably to the late organization of the Troops of the United States.

1814.
July 15,
Norfolk

By command.

JAS. BANKHEAD,
Adj't Gen'l.

Adj't Gen'l's Office, Norfolk, July 16th, 1814.

P. S.—There are not one hundred and fifty spare muskets at this post, and it is absolutely necessary that the above requisition should be armed before they are sent here.

J. B.

RICH'D E. PARKER (LT.—COL. 111TH REG'T) TO THE GOVERNOR.

I have the honor to state for the information of the Commander in chief, that four large British ships, a Sloop of war, apparently, and a greater number of Tenders and Barges than ever appeared in the River before, entered the Potomac this morning and anchored this evening about 5 P. M. a little below Blackstone's Island.

July 18,
Westmore-
land County

The Regiment is under arms, but necessarily very much dispersed. Our situation requires the immediate attention of the Executive. We want a supply of ammunition as soon as it can be forwarded.

I am, &c.

HUGH MERCER TO THE GOVERNOR.

Advising against the sending of the Militia of Fredericksburg and vicinity to the defence of Norfolk or Richmond in the exposed condition of Fredericksburg.

July 19,
Fredericks-
burg

M. PORTER (B. G. U. S. A.) TO THE GOVERNOR.

Altho' we have been in daily expectation of the arrival in the Bay of the Enemy's transports, none has yet made their appearance. The Squadron that lately arrived, and the small vessels which followed it are said to be still up the Bay.

July 19,
Norfolk

In Lynhaven, there is according to our last evening's report only one Ship.

By a late letter from the Department of War, I am informed that Fort Powhatan is within my command. For its immediate protection the Adjutant General of this District has been ordered to call upon the State for a Company of Artillery. Apprehensive that a single Company may be insufficient for that purpose, I beg leave to request of your Excellency, until other arrangements can be made, to order an additional

Company or two of the Local Militia to be stationed at the Fort. I make this request because our effective number here is so much diminished by disease that at present we cannot, with safety, spare a single man. We have about one thousand on the sick list. The wind is now very fresh and fair for the approach of the Enemy.

I am, &c.

In compliance with a Requisition of the President of the United States on the Militia of the State, signified through the Honorable Secretary of War, by his letter of the 4th instant, the Commandants of Brigades will make the following details without delay, viz :

From the	4th	Brigade—total	Officers	and	Men	-	-	-	766
“	“	11th	“	“	“	“	“	-	825
“	“	12th	“	“	“	“	“	-	1,081
“	“	15th	“	“	“	“	“	-	416
									<hr/> 3,088

From the 1st Brigade—total Officers and Men	-	-	-	609
“ “ 3rd “ “ “ “	-	-	-	579
“ “ 5th “ “ “ “	-	-	-	475
“ “ 6th “ “ “ “	-	-	-	344
				<hr/> 2,007

From the	7th Brigade—total Officers and Men	-	-	-	67
"	" 10th " " " "	-	-	-	49
"	" 13th " " " "	-	-	-	1,290
"	" 16th " " " "	-	-	-	95
"	" 17th " " " "	-	-	-	61
"	" 18th " " " "	-	-	-	48
"	" 19th " " " "	-	-	-	41
"	" 20th " " " "	-	-	-	58
					<hr/> 5,522 <hr/>

Fourth Division.

1814.

in the 2nd Brigade—total Officers and Men	-	-	-	869
“ 14th “ “ “ “ “	-	-	-	575
				<hr/> 1,444 <hr/>

A due proportion will be taken from the Riflemen and Light Infantry entire companies, as the law directs. Every Company of heavy artillery within the above brigades will be placed in requisition, and included in the number to be detailed. The men will be armed and equipped in the best manner practicable, and held in complete readiness to take the field at a moment's warning. When the quota of each brigade is completed, the Brigadiers will immediately forward to this office a return of the number and description placed in requisition in each regiment, with the names of the Commissioned officers *only*. Volunteer companies will be preferred.

The Commandant of the 4th Brigade will immediately detach and send to Norfolk the following proportions of his quota: 1 Major, 3 Captains, 8 Lieutenants, 6 Ensigns, 16 Sergeants, 14 Corporals, 7 Musicians, and 300 privates, *including* in that number one Company of Artillery.

The Commandant of the 11th brigade will also detach to be sent to Norfolk *without delay*, the following proportions of his quota: 1 Colonel, 4 Captains, 8 Lieutenants, 6 Ensigns, 16 Sergeants, 14 Corporals, 7 Musicians and 300 privates.

The Commandant of the 12th brigade will immediately detach of his quota, 1 Colonel, 1 Major, 5 Captains, 9 Lieutenants, 7 Ensigns, 22 Sergeants, 20 Corporals, 10 Musicians and 400 privates, to proceed *without delay* to Norfolk.

From the 15th brigade will be immediately detached by the Commandant, 1 Captain, 3 Lieutenants, 1 Ensign, 6 Sergeants, 8 Corporals, 4 Musicians and 101 privates, including in that number one Company of artillery, to proceed *without delay* to Fort Powhatan, and report to the Commanding Officer—one of the Sergeants will act as Quarter Master Sergeant.

The troops directed to Norfolk will report to General Porter—The troops thus ordered to take the field will be mustered and inspected as usual, and the rolls disposed of according to former orders.

Captain Joseph Wheaton, A. D. Q. M. G., will furnish means of transportation, and Robt. Jennings, Esq., the contractor, will furnish rations for the march.

The following General Officers will hold themselves in readiness to take the field at a moment's warning, viz:

- Major General James Williams, of Orange.
- “ “ John Pegram, “ Dinwiddie.
- “ “ John Smith, “ Frederick.

1814. Brigadier General Joseph Neville, of Hardy.
 “ “ Littlebury Mosby, of Powhatan.
 “ “ John P. Hungerford, of Westmoreland.
 “ “ James Breckenridge, “ Botetourt.
 “ “ William Madison, “ Madison.
 “ “ James Singleton, “ Frederick.

By order.

CLAIBORNE W. GOOCH, D. A. G.,
 For MOSES GREEN, A. G.

M. PORTER (B. G., U. S. A.) TO THE GOVERNOR.

July 21,
 Norfolk

Our last evening's report from the Chesapeake states that a 74, three small schooners and several small vessels of the Enemy came down the Bay yesterday. In the evening a Tender went to sea. The barges from the Squadron were in motion, but their object not discovered. Entire force in Lynhaven per last accounts, 2 large ships and perhaps 5 or 6 small ones.

I have just received information that Com. Gordon has detained a Nantucket Sloop, bearing a memorial from some of the authorities of that Island to the British Admiral on this station, alleging their pacific dispositions and supplicating his permission for them to resume the fishing business. It is said that this Sloop was also the bearer of a dispatch from Captain Barrie in Lynhaven to the British Naval Commander up the Bay. This dispatch, as I understand, states among other things of less importance that Captain Barrie keeps a lookout tender in constant expectation of the arrival of Admiral Cochrane.

I am, &c.

AUST. SMITH (L. C. C. 25TH REG'T) TO THE GOVERNOR.

July 21,
 King
 George

About 5 o'clock this morning I received an express from Col. Parker at Westmoreland, informing me the enemy was last evening within half a mile of their Court House, and marching direct for that place; their force was supposed to be 1000 or 1200; the Militia were retreating before them, and that his lower Battallion was below. The 25th Reg't is called on and I will march immediately to Westmoreland.

I am, &c.

WILL. M. BAYLY TO THE GOVERNOR.

July 21,
 Shenandoah
 County

Asking permission to raise an additional Artillery company to be attached to the 13th Regiment.

J. H. PEYTON (L'T COL. 45TH REG'T) TO THE GOVERNOR.

Enemy are in great force in the Potomac. I have just received information the fifteen hundred British are now in possession of West-land Court-house. I am now on my way to meet the Enemy with two thirds of the Stafford Militia—the remaining third I have left proper to leave in the County. We are in great want of Arms, Ammunition, &c. Will you have the goodness to send without delay only, say about two hundred muskets.

1814.
July 22,
Falmouth

I am, &c.

Circular.

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
WAR DEPARTMENT, 22nd July, 1814.

cases in which General Officers commanding Armies or Districts, judge it necessary, or conducive to the public service to order Accoutrements, or other Ordnance Stores, to be delivered for the use of the militia of any particular State or Territory. Such Arms, &c., shall be delivered in pursuance of the Provisions of the Act of Congress passed the 23rd of April, 1808, for arming the whole body of the militia, and receipts or other proper vouchers are to be required from the Governor of the State or Territory, in behalf of which, such deliveries shall be made, which receipts or other vouchers shall be submitted to the Office of the Commissary General of Ordnance, who is hereby directed to keep a correct account of all Arms, Accoutrements, &c. delivered, debiting each State, Territory, &c., with the amount of the same, and the Accoutrements, &c., which may be delivered for the use of the militia of such State or Territory.

By order of the Secretary of War.

JNO. R. BELL,
Ass't Inspector General.

WILLIAM LAMBERT TO THE GOVERNOR.

Three vessels supposed to be part of the British force up the Chesapeake, a large ship, a brig and four schooners were seen passing down the river far out to the Eastward, on the morning of Tuesday, the 19th inst., and on Wednesday about twelve o'clock, a brig which had started off the mouth of Rappahannock river got under way and

July 22,
Lancaster
County

1814.
July 22,
Lancaster
Co.

sailed across towards the eastern shore of Virginia. In the afternoon of the last mentioned day, a firing of cannon was heard by several persons in the neighborhood of Kilmarnock, but as the distance must have been considerable, the course has been variously represented and could not be correctly ascertained.

Information has been received at nine o'clock this morning from the guards stationed near Wind-mill Point and at the mouth of Indian Creek that no vessel of any description was then to be seen in the bay.

But a serious alarm is now spreading among the people in this quarter in consequence of regimental orders from the Lieut. Colonel of the 92nd Regiment to the Major of the Second or lower battalion of Militia in Lancaster county, dated the 21st instant, from which the following is an extract:

"I have just received information by express that the Enemy have landed and are now marching down the Country in great force within twelve miles of Richmond Court-house; you are therefore commanded to convene the battalion under your command at the Cross roads without delay and without further orders."

"P. S.—Guards detached from it (the lower battalion) will still keep their post and be ready to march at a moment's warning."

A report is in circulation here that three thousand British troops have landed and are on their march; if this account be true, I know of nothing to prevent them from carrying devastation into all the lower parts of the Northern Neck of Virginia.

I am, &c.

M. PORTER (B. G. U. S. A.) TO THE GOVERNOR.

July 25,
Norfolk

Our last report informs of no late arrival in the Bay.

I hope the force lately required of the State for the defence of Fort Powhatan has arrived there, as I feel considerable anxiety for its safety. We could have avoided troubling you with any call for this purpose, but for the sickness prevailing amongst our troops here. We have about one-third of our Militia on the sick list, notwithstanding every precaution for their health.

I am, &c.

H. S. G. TUCKER TO THE GOVERNOR.

July 25,
Winchester

This morning has brought us the distressing and mortifying intelligence that the enemy are in possession of Westmoreland Court House. I need not attempt to describe the feelings which this event has inspired

in the bosoms of some among us. You have already experienced the same sentiments I doubt not in Richmond.

1814.
July 25,
Winchester

The occupation of the good old Virginia soil by a foreign foe, will I trust be a sufficient apology for making some enquiry of you in relation to the Volunteer System. Tho' it is not very probable that the experiment made last year by myself could be exactly repeated, since it was founded on the principle of each Volunteer bearing his own expenses, and since the mass of young men among us have not the means of encountering the burden, yet I have no doubt that I can easily raise a corps of young men either in the character of Mounted Riflemen or dragoons, who would hold themselves in readiness at a moment's warning for a service of from 30 to 60 days upon receiving the usual pay and rations. Give me leave therefore shortly to enquire of you whether it is in your power to accept such Volunteer Corps, and whether their services would be acceptable.

I will not further intrude on your time, but tender you my respectful regards.

I am, &c.

H. S. G. TUCKER.*

Having perceived for some time that the cavalry was not a corps likely to be in much active service, and understanding that Flying Artillery would be acceptable, I take the liberty of enquiring through you whether the Executive consider themselves as possessing the power of transferring a company of Cavalry to the corps of flying artillery, with the assent of the officers and men; and if so, whether they would consider such a measure in any instance advisable. My own company would I am satisfied, assent immediately to the transfer, and it would enable me to fill up its ranks from the brigade at large very rapidly; whereas, in our small and circumscribed regiment I find it a very difficult matter. If, however, we can get into service sooner, as we are, I should not wish to change. I am sick of being at home in these momentous times. It is indeed no time for the drowsy pursuits of Civil life. We shall "have cracked crowns and bloody noses, and pass them current too."

July 26,
Winchester

I yesterday wrote to the Governor. I am well aware that I should be cautious of being troublesome. But the restlessness produced by present times will to you, I trust be an excuse amply sufficient.

I am, &c.

* Address lost.—ED.

JOHN P. HUNGERFORD (B. G.) TO THE GOVERNOR.

1814.
July 27,
Westmore-
land

I wrote you the night before the last from Mattox and sent the letter by mail yesterday. I arrived late last night at Yeocomico church, 3 or 4 miles from Kinsale. The following forces are stationed here: two Infantry Companies of the Westmoreland Militia, three companies of Infantry from Caroline, three do. from Richmond, two companies of do. from Essex, Capt. Stuart's company of Horse from King George, Captain Carter's Horse, Captain Tebb's company of Riflemen, and Capt. Shackelford's company of Artillery from Richmond County, making in all six hundred and fifty men and officers, besides a detachment of Essex Militia are on their march under Captain Pitts expected momentarily. * The annexed is a statement of Colonel Peyton's force agreeable to his communication of the 25th inst. Of these I have ordered a detachment of 400 to be stationed at Mattox, and three hundred at Round Hill church near Machodox ferry.

I have also ordered one hundred men from Essex to join the Camp at Mattox. The enemy was night before last increased by another ship supposed to be a transport, which came too near the mouth of Yeocomico below the rest of the Squadron. On yesterday morning the enemy landed, as I understand, about 22 barges and three tenders of their men from the upper part of their squadron upon a place called the narrow lying between the mouth of Machodoe and Nomini. Their force landed was supposed to amount to about 1200 men. Col. Branham marched his force, which at that time consisted of about 250, from this place to the Hague, which lies about five miles from Nomini ferry and about from the river, but the superiority of the enemy was so great that it would have been madness to have met them.

After remaining on shore some hours plundering some of the farms they retired to their ships, and soon after returned in the evening to the same point. I fear they have taken a very large booty of slaves as many were seen going to them. I ordered out a detachment of Capt. Carter's Company of Cavalry from Richmond County, Captain Tebb's and Cox's companies of Riflemen, under the command of Major Yates, to reconnoitre during the night to watch the enemy's movements and intercept Run-aways.

I just learn that another sail has arrived supposed to be a brig which was despatched from the fleet a few days ago, and I am told has the appearance of a troop vessel.

The troops at this place are much in want of Camp equipage of all sorts, also medicine. We have only 50 Tents, a very insufficient quantity of Camp kettles and axes, no forage bags, no canteens or jugs. A keg of pistol cartridges and a few musket cartridges would be very acceptable.

I have as yet heard nothing of Madison's and Blackburn's Brigades. Our force I consider as entirely inadequate at present to make any effectual defence against the enemy, exposed as we are at such a variety of points, any one of which the enemy can select most favorable to himself. Numerous as they were previous to the reinforcements which they have probably received by their two last Ships since my last communication to you, I am almost afraid to specify how large an increase I ought to have lest it might be supposed I aimed at a monopoly of strength, which should be divided over several other points almost as weak as our own. I cannot withhold the strong conviction I feel that we should have at least 3000 men in addition to the local Militia of the lower counties.

1814.
July 27,
Westmore-
land

I would moreover suggest that light mounted troops of Infantry or Riflemen would be invaluable. The force of the Enemy consists much of light troops and flankers. The Executive will readily perceive the advantage our flankers would have over theirs were ours mounted. One sixth of our force I should wish to be mounted Infantry or Rifle. At all events, send me one or two Battalions of mounted men. I must not omit to mention the great advantage the Enemy have over us in being informed by our Blacks of all our movements. *Annexed you have a list of Medicinal Stores which the Surgeon is in urgent want of. Enclosed you have a copy of correspondence between Col. Parker and Admiral Cockburn previous to my taking command, and the report of the Officer who bore the flag. I shall immediately constitute a Court of enquiry into the subject of the poisoned Spirit, deeming essential to the character of our Arms as well as our persons to wash off completely so vile an imputation. And I show too great a satisfaction in disarming the Spirit of devastation of its pretext, tho' I believe no pretext is wanted. I beg leave to report Captain John Taylor Lomax, of the Richmond Infantry, John W. Hungerford and James Mercer as the aids whom I have placed near my person.

Let me hear from you as speedily as possible, and any assistance in the way of men or supplies the Executive means to render, let it be prompt.

I am, &c.

*Not found.—Ed.

GARRARD MINOR (MAYOR) TO THE GOVERNOR.

Introducing Col. John Mercer and Robert Stanard, Esq., appointed by the citizens of Fredericksburg to represent the defenceless situation of that town and vicinity.

July 29,
Fredericks-
burg

To His Excellency the Governor and Council of the State of Virginia :

The undersigned, deputed by the Corporate body of the Town of

1814.
July 29,
Fredericks-
burg

Fredericksburg, for the purposes specified in the accompanying document, beg leave to represent to the Governor, as Commander in Chief of the Militia, and the Governor and Executive Council, that in consequence of the appearance of a large naval force of the Enemy in the waters of the Potomac, off Blackstone's Island, and the debarkation of a considerable body of them on the shores of the bay and creek of Nomini, the borders of which were ravaged by them, a levy enmasse was made of the whole Militia of the Counties of Westmoreland, Richmond, King George, Stafford, and Spotsylvania and portions of those of the Counties of Essex and Caroline, the whole of which have marched except a few unarmed Militia of the County of Stafford. Gen'l Hungerford, having assumed the command, has ordered the whole of the Militia except about forty five to different positions on the Potomac; the nearest of which positions to Fredericksburg and Falmouth is in the lower extremity of King George county, at the distance of at least thirty miles—a measure which leaves the whole Southern Shore of the Potomac from the lower extremity of King George county to the upper extremity of Stafford, and all the intermediate country to the Shore of the Rappahannock entirely uncovered and open to the hostile incursions of the Enemy.

The attention of the Executive, and especially of the Governor as commander in chief, is seriously invited to the defenceless and exposed situations of that portion of Country, and especially of those Towns, resulting from the unhappy selections that have been made for the positions of the Militia. It is not doubted by seamen nor by any one acquainted with the celerity with which the enemy move in their barges, that from their present position in the Potomac they can reach in the course of one night, and consequently unobserved, Potomac Creek within seven miles of Fredericksburg. What then would oppose their march direct to Fredericksburg through a country not only defenceless naturally, but rendered more so by being stripped of its scattered inhabitants, and no force within the distance of 30 miles? What could oppose the sack and conflagration of that place, and the safe return beyond the reach of vengeance of the banditti that have already desolated the shores of Nomini bay. The Militia stationed 30 miles below would scarcely hear of the danger before the ruin would be complete, what will prevent the enterprise if the present position of all the physical force that is expected to oppose it should continue—want of will in the enemy. This cannot be relied on, especially as it is ascertained by the information of a gentleman that had recently the misfortune to fall in their hands, that they were very minute in their enquiries respecting the size of the town, the distance of an attainable landing on Potomac Creek, and the nature of the intermediate ground. Want of information? It is known that they are almost daily in the habit of getting information from our shores.

ith will to execute, and information to guide them, can it be doubted at they have not already force to complete the enterprise. The strong- inducements exist to stimulate them to it. The habitations of near ur thousand people to be conflagrated; the wealth of two Banks and at of the greater part of those inhabitants for plunder, near 1,000 aves to be enticed or forced away by violence and for destruction, pwards of 100,000 barrels of Flour, 1,500 hogsheads of Tobacco, twenty il of vessels, and all the stores from whence are subsistence of the very ilitia that have been withdrawn from their defence, are held out as the rizes of a bloodless enterprise of a few hundred that may be planned and executed in the course of twenty-four hours.

1814.
July 29,
Fredericks-
burg

From the protection of all these objects of such deep public, as well private interest, as well as of the intermediate Country, are, the whole ass of the Militia withdrawn to the distance of 30 miles or upwards, aving an accessible avenue of but seven miles distance to the enemy, d for what object? The utmost that can be hoped for as attainable by em is to deter the enemy from landing to commit petty depredations the few houses that remain scattered along the shores of the Potomac d two or three little creeks. The undersigned in making the fore- ng representation to the Commander in chief, are fully satisfied that e dispositions of the only force that has been referred to as affording e means of protecting the Towns of Fredericksburg and Falmouth in ations utterly destroying the efficiency of that force as the means of ence, have been made without instructions from him; that the pro- lure cannot meet with his sanction, and that it is in his power to cor- t it with the utmost promptitude.

The undersigned further represent that the Town and adjacent country e almost without munitions of war, especially lead. The greater part that heretofore received having been distributed to the Militia now in vice. The attention of the Executive to a speedy supply of them is nestly invited.

JOHN MERCER,
ROBERT STANARD.

WILLIAM LAMBERT TO THE GOVERNOR.

On Saturday the 23d instant, about five o'clock A. M., two large ships d a brig were seen from the north point of Rappahannock river pass- t down the bay, and on Sunday at twelve o'clock a brig was observed m the mouth of Indian creek sailing eastward towards Accomack anty, since which no vessel of any description is stated by reports of commanding officers of the guards to have been in view from either those points.

July 29,
Lancaster
County

nformation was yesterday received from Lancaster Court house that

1814.
July 29,
Lancaster
County

upwards of one hundred negroes have been taken by the British troops from sundry inhabitants of Westmoreland County, and that they have wantonly destroyed private houses, wheat stacks, growing corn, and other property to a considerable amount, and to the great if not irreparable injury of the unfortunate sufferers exposed to their merciless depredations. It is also said that a large ship was lately seen in the Potomac near the mouth of Cone river in Northumberland, and that a requisition has been made for the Militia, Cavalry, Riflemen, and Artillery of Lancaster to assist those of the adjacent counties against an enemy from whom if successful little or no clemency is expected.

I am, &c.

WM. BRENT, JR., DANIEL C. BRENT, JNO. COOKE, JNO. MONCRE.
HANCOCK EUSTACE, ROWZIE PEYTON, TO THE GOVERNOR.

August 1,
Stafford

The critical situation of this County induces us to address you this letter. In consequence of the late attack of the Enemy on Westmoreland County, the whole of the Militia of this county have been marched below, most of them to Mattox Bridge in Westmoreland, distant two days' march for Infantry.

The Enemy are not distant more than half a day's easy sail; so that no possible relief could be afforded to this county against the predatory attacks of a plundering party by men distant two days' march. That a country on the margin of the water within a half a day's sail of the Enemy should be left perfectly destitute of any defence whatever, does appear most singular indeed. We are pleased to see the alacrity with which the Enemy have been met whenever he has attempted to land in our native State, and we are by no means willing that the Militia of this County should withhold their aid from their more exposed sister counties of the Northern Neck; yet good policy does not seem to require that the whole of the Militia should be withdrawn. There may be some circumstances of such urgent necessity as might require a movement of this sort. If there are, they are unknown to us, and that necessity can certainly be of no longer duration than it would require troops from more remote Counties to march to the proper positions. Nine or ten days have elapsed, and things remain in statu quo. The only military force left in this county, are thirty men stationed at the Hope on Aquia Creek, four and a half miles distant from the mouth of Aquia, for Boat guards until three days since with arms for not more than a third of them. Under these circumstances we are exceedingly anxious that something should be done to relieve us from the defenceless state in which we are placed, and from which we discover no relief.

The object of this letter is to know whether the order for the Militia

of this County to march below, includes the *whole* of the Reg't, and, if not, whether a few men could not be ordered back, so as to afford some defence against the predatory attacks of the Barges and smaller vessels. One hundred men at different points would be amply adequate for this purpose. If however no relief of this sort can be afforded, there are a number of men not on the muster roll who would cheerfully turn out to repel any attacks of this sort if they could be armed. We are of opinion that one hundred and twenty stand of arms and the necessary accoutrements and munitions would not remain idle if sent here. Should these be sent, we pledge ourselves that the greatest care should be taken of them. You will render us a great service by endeavoring to effect the object of this letter, and to give us a speedy answer.

1814.
August 1,
Stafford

We are, &c.

A petition to the Governor, numerously signed by citizens of Caroline County against the call of the Militia of that County into service in other Counties on account of apprehension of negro insurrection, dated August 3rd, 1814, is on file.

JOHN P. HUNGERFORD (B. G.) TO THE ADJUT GENERAL.

A little before sunrise on the morning of the 3rd, the Enemy was discovered in considerable force in the mouth of Yeocomico River, which divides this County from Northumberland, and in a very short time several Tenders and about twenty barges advanced up as far as Monday's Point, where Captain Henderson, of the Northumberland Militia, gave them a reception which reflects honor upon him and those under his command. After having expended all his ammunition (except two rounds of grape) he was compelled to retreat, and succeeded in getting off the only piece of Artillery he had with him, with which he reached in safety his place of residence in the forest between six and seven miles from the field of Action. The Enemy in pursuit committed all the ravages that his love of devastation and the ample means he possesses inclined him to gratify, and laid in ashes almost every house in his progress to Henderson's own dwelling, which was consumed as well as a neighboring one in Richmond County.

August 5,
Westmore-
land County

You have annexed a copy of Col. Downing's report of these transactions. I must not omit to mention that several platoons were uniformed negroes.

I had anticipated on the evening of the 2nd an attack upon Yeocomico, but supposed Kinsale and the Westmoreland borders of that river, as they held out the strongest inducements, would be the points assailed.

1814.
August 5,
Westmore-
land Co.

I therefore broke up my encampment at Yeocomico church on the 2nd, encamped at night in the neighborhood of Kinsale and gave the annexed order, which was very promptly obeyed, and the line of battle formed upon the banks of the river, just as the enemy had gotten under way and were giving their signals for the attack. We were probably discovered, as no attempt was made on us. We continued at our posts until we apprehended from the extent of the conflagration above us on another branch of the Creek, that there was danger of the Enemy descending from the head of the river and attack our force in the rear, which consisted of about fifty cavalry, sixty Artillerists, with two sixes and two four-pound field pieces, seventy riflemen and 250 Infantry. I retired a little way up in the country to guard against such an event. About two o'clock I was informed that the enemy had borne up with several Tenders to Kinsale, and was firing the houses. From the exposure on the bank to their cannon, I knew nothing could be done for the relief of the place. Major Yates, who was left at Kinsale with a volunteer detachment to watch the movements of the Enemy, was fired upon and had one man killed by a grape Shot. At night I retired to this encampment. The situation of this part of the country is deplorable, and unless more vigorous efforts are made for its defence, it must become desperate.

Our negroes are flocking to the enemy from all quarters, which they convert into troops, vindictive and rapacious—with a most minute knowledge of every bye path. They leave us as spies upon our posts and our strength, and they return upon us as guides and soldiers and incendiaries. It was by the aid of these guides that ambushes were formed every where in the woods—firing upon our troopers who were reconnoitering, whereby two of them had their horses shot under them, as had also Genl. Parker, and the riders were pursued through every path and swamp, and narrowly escaped being taken or more probably killed. From this cause alone the enemy have a great advantage over us in a country where the passes and by-ways through our innumerable necks and swamps are so little known to but very few of our officers and men, and through which they can penetrate and be conducted with so much ease by these refugee blacks.

The example too which is held out in these bands of armed negroes, and the weakness of the resistance which as yet has been made to oppose them, must have a strong effect upon those blacks which have not as yet been able to escape.

Unless the Government will give this quarter more effectual aid, the ruffian system of warfare carried on by the enemy, aided by such means, will light up one universal conflagration throughout these counties. My present force at this place consists of the following: two troops of Cavalry, 60 strong, rank and file; 2 Companies of Artillery, about 70 fit for service; 2 Companies of Riflemen, 50, and 12 companies of Infantry,

nounting to 320 or 30, making an aggregate of 570 or 80, including
ficers who are much fatigued and many upon the sick list, without as
et any hospital stores having been provided.

1814.
August 5,
Westmore-
land County

The last requisitions which I made by order of the commander in
chief upon Essex, Caroline, and King & Queen have not as yet arrived.
When they report themselves, I anticipate a force under my command
(besides the Northumberland, 2 Lancaster Militia ordered to be embodied
in detachments below,) of about 12 or 13 hundred men in the whole,
which I apprehend will be entered ineffectual for the contemplated de-
fence. The present is the situation of the enemy's forces in the Potomac:
5 Ships, 2 Brigs, 13 Tenders, laying off Sandy Point. I have yet heard
nothing from General Madison, and whilst the troops above remain under
their present doubtful command, they can be of little service. It is, I
consider, highly important that there should be the closest co-operation
between our forces, and I have written him to that effect but have re-
ceived as yet no answer.

I am, &c.

P. S.—There are not more Tents than enough to cover the troops
already assembled, and should those from King & Queen, Essex, and
Caroline now in requisition not be furnished before their arrival, they will
be very much exposed.

J. H.

AUG'T 3RD, 6 o'clk, P. M.

I have the honor to inform you that a detachment of the enemy's
force, consisting of about 300 men, landed this morning a little after
sunrise at Monday's Point or Yeocomico, where they were warmly re-
ceived by a part of Captain Henderson's company of Artillery who were
stationed at that place. Having expended his round shot, and finding
himself opposed by an overwhelming force, Capt. Henderson made a
masterly retreat, and altho' pursued rapidly by the enemy, succeeded in
bringing off his piece and the whole of his little party in safety; the
enemy having missed him in the pursuit by his obliquing from the main
road, advanced into the county as far as the dwelling house of Capt.
Henderson (formerly called Davis'), which they burnt with his store-
house and out houses, and the houses just across the road in Richmond
county belonging to King. In retrograding, they burnt almost every
house on the public road to their point of re-embarkation, which I am
informed they effected.

It is with pleasure that I have to inform you that about two hours
after the affair at Monday's Point, a joint and successful attack was made
upon a barge's crew which had landed at Mr. Sally Coxe's, on Cherry

1814. point, by Capt. Travers' Company of Infantry and the other detachment of Capt. Henderson's Artillery, under the command of Lieut. Crabb. In this affair the enemy sustained considerable loss in killed and wounded, and I regret to say that Lieut. Barnes, of the Infantry, and a private named Crabb of the Artillery, were both severely wounded by a discharge of grape from the barges low piece. Upon hearing of the enemy's landing and marching up into the Country, I immediately put the troops at this place into motion and marched to oppose them, but after advancing about six miles received information that they had returned to their boats, upon which we retrograded to this place. Believing that the public and private property on Cone and at this place will be their next object, I have made such a disposition of the troops under my command as I supposed best calculated for their defence. I have been obliged to detach from the defence of Yeocomico a part of the very limited force. I have therefore to request, Sir, that you will take such steps as you may deem proper for the defence of that part of the County contiguous to you, and that you will furnish us such further aid for the defence of this most exposed frontier as you can spare.

I am, Sir, very respect'ly,
Y'r mo. obe't ser't,

T. D. DOWNING, Com't 37th Reg't.

Brig. General Hungerford.

ADJUTANT GENERAL'S OFFICE.

NORFOLK, *August 10th, 1814.*

Requisition on the Executive of Virginia for a Regiment of Militia Infantry of those directed by the General Government on the 4th of July, last month, to be held in readiness for immediate service to repair without delay to this Post.

Two Lieutenant Colonels, Two Majors, One Surgeon, Two Surgeon Mates, Ten Captains, Twenty Lieutenants, Twenty Ensigns, One Sergeant Major, One Quarter Master Sergeant, Two Principal Musicians, Fifty Sergeants, Forty Corporals, Twenty Musicians, and Nine Hundred privates, making an aggregate of one thousand and seventy-one Infantry of Virginia Militia.

If two of the foregoing Companies could be of Riflemen or Light Infantry, it would be desirable.

By Command.

JAS. BANKHEAD,
Adj't Gen'l.

M. PORTER (B. G. U. S. A.) TO THE GOVERNOR.

After hovering on the Coast for about twenty four hours, five of the nemy's vessels, viz: a frigate, a transport ship, two sloops of war, and a rig arrived in and proceeded up the Bay in the afternoon of yesterday. By this accession, the Enemy's force now in the waters of the Chesapeake is increased probably to thirty sail and three thousand marines. Of his vessels of war, at least four or five of them must be seventy four, and perhaps eight or ten frigates. To oppose this force, should it attack us, and I am induced to believe this post is the principal object, I have four thousand five hundred men, of which eleven hundred are sick, thus reducing the combatants of all sorts to about thirty-four hundred. To remedy in some measure this deficiency, I have called out a Regiment of the Militia from the vicinity, until the two Regiments required of the State, as part of its quota of twelve thousand, shall arrive at this place.

1814.
August 12,
Norfolk

May I be permitted to request of your Excellency, to cause any steps in your power to be taken, to have these two regiments here as soon as possible. Your favor of the 9th instant is received and shall be duly attended to.

I am, &c.

WILLIAM LAMBERT TO THE GOVERNOR.

On Saturday the 6th Instant, at 4 o'clock P. M., two large ships, a brig and a schooner passed up the bay, and on Wednesday morning the 10th, Ship and Tender were seen from Wind mill Point on their passage down. Information has been received from Northumberland Court-house, that part of the enemy's force in the Potomac moved down that river on or about the 3rd of this month, and proceeded up Yeocomico to Kinsale, which they totally destroyed together with several other houses for seven or eight miles on both sides of the road leading from hence to Richmond Court-house; they were then checked in their progress by a detachment of artillery under the command of Capt. Henderson, but that small party were forced in a short time to retreat with the loss of their piece of artillery, having two officers wounded, one of them since dead. It is represented that the fortunate arrival of a considerable number of our Militia from some of the upper counties, prevented a further incursion into Richmond, on the edge of which the enemy burned the houses of Capt. Henderson above mentioned, and marched back to their ships. We have not heard of British operations if any, from Wednesday the 3rd, till Sunday the 7th instant, when ten of their large ships and some small vessels dropped down to the mouth of Cone, a

August 12,
Lancaster
County

1814.
August 12,
Lancaster
Co.

creek emptying into the Potomac between Yeocomico and Smith's point, from which they sent three barges up near the head of the Creek and within two miles of Northumberland Court-house, for the purpose of taking three schooners anchored in their view; they were met by a company of Lancaster Militia who drove them back and cut away their colours, but the appearance of ten other barges filled with men, obliged our militia, who had not been reinforced, to retreat, which they did in good order, and without any personal injury. The British troops then took possession of the three schooners—landed on both sides of Cone, and burned all the houses they could find, some of which the property of James Smith, postmaster at Northumberland court-house, cost upwards of six thousand dollars.

It is reported that there are nearly one thousand Militia at the place last named, and about 150 at Wicomico church in Northumberland, and that the Enemy's force at the mouth of Cone, including Tenders and vessels captured, amounts to thirty sail.

The people of this part of Lancaster are in daily expectation of invasion and it is their opinion that the war will be carried on against them with inveterate malignity. It is said that the language of these marauding Britons to persons who are or have been in their power, accords with their actions; and that among other terms of scurrilous indignity, the opprobrious and insulting epithet of "rebels" has been applied to several native citizens of this State by some of the humane well-bred disciples of Admiral Cockburn.

I am, &c.

General Orders.

ADJUTANT GENERAL'S OFFICE,
RICHMOND, August 13th, 1814.

In compliance with a requisition of the Commanding General at Norfolk, the following proportion of the troops placed in requisition by General Orders of the 20th ult. will take the field immediately, viz:

The whole of the quota from the 20th Brigade.

From the 13th Brigade, 1 Colonel, 1 Major, 5 Captains, 10 Lieutenants, 10 Ensigns, 25 Sergeants, 20 Corporals, 5 Drummers, 5 Fifers, and 400 privates. The whole will proceed to Norfolk without delay, armed and equipped in the best manner practicable.

Those from Cabell and Kanawha Counties will be armed and equipped at Charleston on the Kanawha River. To meet this arrangement, Col. Henderson, of the 106th Regiment, will forward from Point Pleasant the necessary Arms, Knapsacks, &c., to be placed in the hands of the men on their arrival at Charleston.

All claims to exemption from duty must be made before a Regimental

urt Martial, to be held for the purpose of hearing excuses. The men 1814.
ll be mustered and inspected by the Adjutant of the Regiment or
ne officer specially appointed by the Commandant, as mustering
icer, who, together with the Officer commanding the Company and the
gimental Surgeon, must sign the muster roll and be responsible for
correctness.

Three sets of muster-rolls must be made out for each company,
rms of which are herewith sent. Let the column of *names* be filled
st, with the Commissioned Officers according to rank ; then with the
on-commissioned Officers and musicians, and lastly, with the privates
Alphabetical order. In the columns for *names present*, let the names
f those in the first column be repeated where they are *actually present*
ad *pass inspection* ; and under the head of Remarks, &c., let such facts
e noted as are worthy of remarks, and have occurred in relation to
y one of them opposite to his name. It must also be noted whether
e be a substitute or not.

One copy of the muster-roll, when complete, must be forwarded to
is office, another retained for the use of the Commanding Officer of
e Company in making out his pay rolls, &c., and the third for the
ommanding General at Norfolk.

The United States Quarter Master at this place, Capt. Joseph Wheaton,
ll furnish the means of transportation, forage, &c., on the march. And
ions will be obtained of the United States Contractor Robert C. Jen-
igs or his agents.

The Col. from the 20th Brigade will take his Staff with him, to consist
one Surgeon, 2 Surgeon's mates, 1 Sergeant Major, 1 Quarter Master
geant, and 2 principal Musicians. The Col. from the 13th Brigade
I leave his.

By order. CLAIBORNE W. GOOCH, D. A. G.,
For MOSES GREEN, A. G.

M. PORTER (B. G. U. S. A.) TO THE GOVERNOR.

We are this moment informed by express of the arrival of Twenty
ree additional sail of the enemy's vessels consisting chiefly of 74's, August 16,
gates and transports. They are gone up the Bay. Norfolk

It is truly unfortunate that so many of our troops have not yet arrived.
remedy in some measure their absence, I made a requisition of a
talion from the 8th Brigade agreeably to the letter some time since
eived from you. I had a few minutes ago the mortification of re-
ving the refusal of the commanding officer of that Brigade to comply
th the requisition. A copy of his letter inclosed. Of our present
al number of between four and five thousand troops about thirteen
ndred are sick.

I am, &c.

SMITHFIELD, *August 13th, 1814.*

1814. DEAR SIR,—I received your letter of the 12th instant, making a requisition on me as the Com'dt of the 8th Brigade for five hundred and seventy-nine men. This requisition can not be complied with until I hear from his Excellency the Governor of Virginia, on the subject, having never received orders from the Governor to that effect—only to *co-operate with General Porter* whenever the emergency might require it, leaving it discretionary with me. His answer will be received on Tuesday next, and should he direct the requisition to be complied with, every exertion shall be made by me to forward them without delay.

I have the honor to be,

With respect, Sir,

Your most obt. Servt.,

FRANCIS M. BOYKIN,
Comdt. 8th Brigade.

THOS. M. BAYLEY (LT. COL 2ND REGT.) TO THE GOVERNOR.

August 18,
Accomack

On the return of Lieut. Wise who was charged with six thousand Dollars to be distributed to the Quarter Master of the 2nd Regt., according to my direction the Paymaster received two hundred dollars to pay some deficiencies of the last year, and the Quarter Master the balance, after deducting the Lieutenant's expenses going to Richmond. I directed him to forward his account of expenses to be settled by you. I believe he retained about 150 Dollars, the balance he paid to the Quarter Master. There were due to the Militia for services at the time Lieut. Wise left me, 5,528 Dollars 34 cents. I judged it most proper that the Quarter Master should receive the money to purchase provisions, by which he is able to do so upon better terms. Lieut. Wise informed me that the Executive would forward a Draft upon our Sheriff for \$4,000. I have not received the Draft. It is very desirable that the Militia should receive some portion of what is due to them, altho. as yet I have not heard a murmur upon that subject.

On Friday last 5 o'clock in the afternoon, I received information from an Island man that I should be attacked in a few days. This man had given me information heretofore that was correct, and is in my interest, altho. in the enemy's possession. The force then at the Fort was fifteen hundred Blacks training with five hundred Marines. Three Brigs and twelve schooners lay in the harbour, and at the entrance of Tangier Sound opposite Pungoteague, lay Admiral Cockburn in a 74 with two large transports and a Store Ship, who had entered the capes the day before. I understood the object of the enemy was to burn Onancock Town. I instantly ordered on duty three companies to reinforce the half

companies then at Pungoteague, Onancock and Chessemessix, and also a full company at Onancock Town. I repaired to the Onancock the centre station; by 10 o'clock at night we were all ready, but some slaves who deserted in the early part of the night must have met the enemy's barges, for about 2 o'clock in the morning we distinctly heard their oars, but never saw them.

1814.
August 18,
Accomack

On Monday last all the ships and schooners left the harbour and sound (except a large Brig) and went up the Bay. I then discharged the additional force. I have received from the Government of the U. S. on the 29th ult., 1200 lbs. Musket Powder, 6 reams Musket Cartridge paper, and 4541 lbs. Pig Lead, and gave duplicate receipts, one of which I suppose was forwarded to you. This will be divided as directed with Cols. Bagwell and Pitts, and is an ample supply. I can get no cannon, Rifles, nor carbines from the United States. Upon this subject I will not complain because I cannot get all I ask. I know your Excellency will do all that can be done for us, and the great demand made upon your Excellency and the Secretary of War, perhaps deprives you of the means. I shall endeavor to have our old Guns repaired, and the bullets made, when I can obtain the moulds from Phil'a, which I shall send for the first opportunity, and have the Cartridges made.

I am, &c.

ARCHIBALD MORRIS TO THE GOVERNOR.

Offering the services of himself and 49 men recruited for an Artillery Company in his county with a list of their names.

August 19,
Bath Co.

PHILIP JOHNSON (LT. COL. 90TH REGT.) TO THE GOVERNOR.

Asking permission to resign his commission on account of age and infirmity.

August 20,
Amherst Co.

JOHN ARMSTRONG (SECT'Y WAR) TO THE GOVERNOR.

General Porter commanding at Norfolk reports that the Militia not having arrived pursuant to his last requisition, he issued orders for a Regiment of Militia in his immediate neighborhood, one Battalion of which has been refused by the commanding officer of the 8th Virginia Brigade, to whom the orders were given. The Militia General assigning as an excuse that he was under the Governor's orders to co-operate with General Porter whenever he should think proper.

August 20,
War Department

1814.
August 20,
War Department

It is presumed the Militia Officer is under a mistake which your Excellency will be pleased to correct.

Under the law of 95, any particular corps or section of Militia may be called into service.

I am, &c.

HARRY HETH TO COLONEL JOHN PRYOR.

August 21,
Black Head

Informing him that the Coal pits, formerly worked by him, now in the possession of Mr. Mathew Burfoot and others, were filled with water from a fresh and not a suitable place of deposit for Cannon.

WILLIAM WIRT TO THE GOVERNOR.

August 26,
Richmond

In conformity with your instructions, I have examined the state of the guns and caissons with the implements fitted up for the Flying Artillery, and find that with a few hours' work they will be fit to take the field. On the subject of horses, I have seen Major Prior and learn from him that there will be no difficulty in getting the horses under a sufficient authority from the Executive, either by purchase or impressment; the country around abounding with excellent horses well fitted for the draft. The horses which survive the campaign will reimburse the original cost, so that the only or chief expense will be their support. The men who will form the Company are, I presume, to be drawn from the ranks of the 19th Reg't, and of course will be such as keep their horses themselves—almost all who have horses and who are subject to Militia duty having joined the Richmond Cavalry heretofore. Whether the crisis is such, and the public expectation of the defence which will be made to save this city, sufficiently raised to justify this expenditure on the part of the Executive, is not for me to decide.

If the authority shall be given to raise the corps on the assurance that the Executive will furnish the horses, I have no doubt of the success of the attempt. I wait at the door of the Council Chamber for orders, either to proceed or desist, and return to the ranks of the Militia. I will barely suggest that both the corps and the horses will require training, and that now or never is the time.

I am, &c.

A. PARKER (MAJOR GEN'L) TO THE GOVERNOR.

I take the liberty of enclosing to you, at this moment of universal anxiety (in which I should be doing injustice to suppose you do not participate), a copy of a letter I have this moment received from Col. Green; at the same time you will receive a letter, forwarded unsealed, by Mr. Williams through me to yourself.

1814.
August 28,
Fredericks-
burg

These things are lamentable and shockingly disgraceful; we must endeavor so to conduct the war that the national character may be redeemed, and that Virginia at least may exhibit a vigour worthy of our cause, and which will not dishonor former achievements. Whilst an occasion is presented of addressing myself personally to you, I cannot withstand the opportunity of interesting your feelings in matters vitally connected with the existence of our army, and in which the humanity of the commander is deeply concerned. The want of tents, regular supplies of food and liquor, canteens, pay, and many other things necessary for the comfort, health, and spirits of the men is so much to be deplored while they are in health, but the condition of the sick is unspeakably distressing; the number of which from the effects of the season concurring with the other uncomfortable distressing circumstances, increases in an accelerated progress. The country will not supply Surgeons enough for their due attendance; no supplies of medicine deserving notice have been furnished, and none at all of wine, instruments, bandages, lint, ligatures, &c., &c., &c. The consequences of this deficiency in case of many wounds are too painful to reflect upon. I have been induced most deeply to feel and think upon this subject by the recent death of that gallant officer, Lieut. Barnes of Northumberland, whose wound became mortal, I fear, because he wanted medical supplies. Shocking indeed to every man of humanity is the anticipation I feel in case of an action that my wounded will be more unfortunate than the dead, because the death of the former will be as inevitable as that of the latter is certain, and will be protracted through all the pangs of want and suffering.

Let me interest you with all the feelings which I entertain on this subject, to provide at once the means of preserving the health of the men and supplying the wants of the sick and wounded.

For these purposes as well as for economy, it is necessary to supply the head of the Quarter Master's Depart.

I would submit the propriety of appointing a Q. M. General. I would also suggest that a medical department should be appointed and organized.

I am, &c.

JOHN W. GREEN TO MAJOR-GEN'L ALEX'R PARKER.

1814.
August 29
alias 28
Alexandria

I have this moment reached this place. The town is wholly destitute of defence, and has determined to surrender at discretion to the fleet, which is now at the Fort which they burnt this morning; a flag went down to them early this morning to capitulate. Gen'l Winder was yesterday on his march to Baltimore under the impression that the Enemy was marching to that place, but the British Army diverged to Nottingham, fifteen miles from Benedict on the Patuxent, where they lay last night. It is probable that they will immediately reembark. In consequence of this movement of the Enemy, the troops on their march to Baltimore have been halted, and a part directed to return to the city. The city was evacuated by the British troops on Friday. I shall proceed to Gen'l Winder, altho' the principal object of my mission is defeated, yet I may render some service by seeing him.

I am, &c.

WM. C. WILLIAMS TO THE GOVERNOR.

August 28,
Dumfries

On my way to this place I met with John Campbell, Esqr., of Westmoreland, with whom I had a few moment's conversation. He informed me that he was in Georgetown the day on which the enemy entered the city. That the action near Bladensburg (if indeed it should be called one), lasted only a few minutes, when the militia run and the enemy without firing a gun moved up in open column and took possession of the four pieces of Artillery under the command of that brave officer Barney, who discharged them several times before they were taken. He is said to be wounded and a prisoner. The only troops who made any effort, were those under Barney, and a company of troops (of what description I did not understand), from Georgetown. The enemy's force as stated by the Secretary of the navy, did not exceed five or six thousand, but according to two deserters, 4,500 effectives.

The Navy yard, &c., was burnt by order of the Secretary. The Capitol and war office were destroyed with one house belonging to an individual, by the enemy, the former blown up, the latter burned. The cause assigned for destroying the private house was that two of their men were killed, and two wounded by persons firing from that house, and the horse of Genl. Ross killed under him. Genl. Winder retreated through the city and Georgetown, and has taken a position on the heights back of that place. Our loss about 50, the enemy about the same. The Secretary of War has not been seen since the action, it is believed he has run off pleased with the fate of the city. Public indignation is very great against him. Mr. Madison is censured greatly.

I forbear to make any comment on this statement, such as it is, I send to you.

1814.
August 28,
Dumfries

Mr. Campbell also stated that the main body of the enemy after arriving near the city fell back upon Bladensburg, and sent on into the city 1000 or 1,500. The Mayor of Georgetown was informed that their orders were not to injure private property, and that it would be respected. They would the persons of individuals not in arms, unless they were fired on from private houses.

I am, &c.

WM. C. WILLIAMS TO THE GOVERNOR.

Since my arrival at this place, I have seen a trooper who left Alexandria to-day and Washington last evening; he informs me that the enemy have left the city, that the Capitol is not blown up, but injured in some parts, principally in the columns and cornices. The President's house is very much injured; the walls however are standing. He also states that a house was burnt in consequence of the firing the Capitol. He adds, the President returned to Washington last evening. Alexandria however is in the situation mentioned in my letter from Napsico. It surrendered to the Squadron in the Potomac. The trooper also informed me that Col. Leval took 150 of the Enemy, as he was informed, at their retreat, he saw 5 or 6 six of the prisoners. I wish this may be true; you shall be informed in my next.

August 28,
Occoquan

I fear you be tired with my frequent communications; you will however ascribe it to the proper cause. My wish to inform you of everything I hear having anything like probability in it.

I am, &c.

N. B.—The S—— Armstrong was yesterday in Frederickstown. The people was disposed to hang him. I almost wish they had.

THOS. PROSSER (CAP'T CAVALRY) TO THE GOVERNOR.

The Enemy are still at Alexandria, from the information I can obtain. Alexandria has capitulated, I should say given to the British and they could—all their Tobacco, Flour and Merchandize. On yesterday gentlemen of the neighborhood were permitted freely to enter the city, and to be eye witnesses of our degradation. The safety of their houses and household furniture is all that is retained to them; to be broken should any force be brought against them, or any stop made to their loading their vessels, which they are doing with the utmost industry.

August 29,
5 miles from
Alexandria

1814. Their ships, six in number, lay off in the stream, their broadsides
 August 29, pointing the streets, in a position to rake them even to the hills. Their
 5 miles from Alexandria numbers various, by estimation from two to six hundred.

General Hungerford is stationed at the edge of the Town where he arrived late last evening. What his intention is, I am unable to say; am rather of the opinion we shall have warm work in the morning. I shall be in Camp at 4 o'clock. There was a considerable firing down the Potomac about 5 o'clock last evening—unable to say from what cause.

I am, &c.

M. PORTER (B. G. U. S. A.) TO THE GOVERNOR.

August 30, I received a letter this morning from Cap't O. Allen, Commanding at
 Norfolk Fort Powhatan, representing his strength and requiring reinforcements. His aggregate force for duty is something less than an hundred, which is inadequate to the protection of that place.

Your Excellency must be satisfied that I have no superfluous force at my disposal here, and the remote situation of that post from me, together with my inability at this time to reinforce, induces me to request that the assistance required should be furnished by your Excellency, who it is presumed can do so with the greatest facility.

As I am ignorant of the manner in which the Government wishes to employ the force under the Command of General Porterfield, as well as the situation of Fort Powhatan, I have thought it advisable to call upon you to garrison that post with such force and in such manner as you may think deserving.

I am, &c.

JAS. MONROE (S'CT'Y OF STATE) TO THE GOVERNOR.

August 31, We have this moment received information, the correctness of which
 War Department is not doubted, that the Enemy evacuated Nottingham yesterday at 10 o'clock. The barges moved down about 4 o'clock. It is believed that they embarked from Benedict last evening and this morning. I give you this notice for your information as early as possible, as it may have a bearing on your arrangements for the defence of your section of the Country.

I am, &c.

To his Excellency James Barbour, Esquire, Governor of the Commonwealth :

1814.

The Petition of the Subscribers, Officers of the Junior Blues, raised in the City of Richmond, having embodied themselves as volunteers, to the number of twenty-five boys of the age of about fifteen years, to serve their country in the just and necessary War in which she is engaged, being determined to exert themselves to the utmost in repelling the Enemy, should he be so daring as to attempt an invasion of the Capitol of the State over which your Excellency presides, beg leave on behalf of themselves and the other members of their Company to solicit at your hands the favor of being furnished with muskets and such other Military weapons as may enable them to discharge the duties they have undertaken to perform with benefit to their Country and honor to themselves. And your Petitioners as in duty bound, &c.

SAMUEL B. JONES, Captain.

JOHN G. ROBERT, Lieut.

W. D. ANDERSON, Ensign.

JAMES MONROE (SECT'Y STATE) TO THE GOVERNOR.

The enemy have embarked on board of their vessels on the Patuxent, and will, as I presume, in execution of their desolating system, proceed immediately to some other of our principal towns. Richmond is known to be one on which they have fixed their attention; Norfolk and Baltimore are others; against which they will move in the first instance, will probably not be known until they turn their men in a marked direction towards it.

Sept. 1

Be on your guard, prepared at every point, and in all circumstances to repel the invaders.

I am, &c.

WM. C. WILLIAMS TO THE GOVERNOR.

I arrived at this place having left Gen'l Hungerford with a part of his troop on the heights above Alexandria. Col. Parker's Reg't with the Fauquier troops who have joined, having during the last night and this morning been detached to the White House, a few miles below Mount Vernon, which is a very commanding situation, where the commanding General intends if possible to stop the fleet. I fear, however, the business has been too long delayed, as during the last night the enemy sent down the river a small bomb vessel, and this morning before I left camp were getting under way the vessels they had taken and loaded with flour, and

Sept. 1,
Occoquan

1814.
Sept. 1,
Occoquan

our information was that they had not been on shore to-day, and were making every possible exertion to get off immediately. Some report says the enemy have embarked all their troops on the Patuxent, others say they have received a reinforcement of six transports. I rather think the former the more probable. The acting Secretary at War said he would communicate with you from time to time, but thought you had better keep up your present force. Should that not be done I think you may calculate upon a visit; if it is, I do not believe they will attempt it with their present force, notwithstanding the good fortune in this quarter.

It is possible I may remain a day or two at Fredericksburg, if so shall write you again from that place.

I am, &c.

ROBT. POTERFIELD (B. G.) TO THE GOVERNOR.

Sept. 2

On Tuesday the 3rd ultimo, I set out from Camp Holly with the view pointed out to you in a personal interview on the evening previous to my departure from Camp Fairfield. At Savage's I received your communication informing me of your inability to accompany me, and at the same time a recommendation that I should proceed alone. In pursuance of this recommendation, added to an ardent desire which I felt to explore the grounds where the enemy might attempt a landing, whether on York or James River, together with the face of the country over which they would probably travel on their route to Richmond, I proceeded accompanied by an Aid-de-Camp, together with Capt. Heth of the Cavalry, and Captains Stevenson and Cary of the Artillery, to Cumberland and West Point on the Pamunkey and York rivers, and from thence to Sandy Point, Fort Powhatan and the Malvin Hills to the place where we arrived this morning about 10 o'clock.

I have no hesitation in stating it as my opinion that should the Enemy strike at Richmond, the route by the York river will be selected. A fair wind and a half day's sail will bring the Enemy to the Brick house on York river where it would be idle to oppose their landing. There is around that point a fine landing, together with an extensive plain, which would be completely under the command of their Armed Ships. I can further state that I do not think that an effectual check can be given to the Enemy, should he land at the Brick house, before he reaches the Chickahominy. At Bottom's Bridge and its vicinity, the Enemy ought to be met; there is everything in our favor which arises from the face of the Country. There are fine commanding eminencies suitable for the effectual use of Artillery and Cavalry. We have ascertained from intelligent persons living on the Chickahominy, that it can be forded at this season of the year at every place almost above

1814.
Sept. 2

tom's Bridge, and at a great many places below. Even as far as
se miles below the Forge Bridge, consequently nothing will induce

Enemy to take the route by Bottom's Bridge in the face of our
ny, but two circumstances: 1st, a confidence in their strength; and
lly, its being the most direct route. Should the Enemy be induced
approach the Capital by any other than the direct route by Bottom's
dge, I think they will leave the main road about six miles before
y reach it, and attempt to cross the Chickahominy at the new bridges
out eight miles above Bottom's Bridge. This route is the next nearest,
d furnishes a good road, but at the passage of the river affords us
und equally strong with that at Bottom's Bridge. In fine, we are
ormed that an attempt to pass the Chickahominy at any point will
nish to us great advantages in defence. The southern shore of that
er being hilly and commanding at any point where it is possible for
e Enemy to pass. Being impressed with the belief that the Capital
l be approached from York River, and the Chickahominy being liable
be passed in so many places, I thought it advisable to invite Captain
ton W. Crump, of New Kent County, to raise a company of rangers,
sisting of men of activity, courage and intelligence, to act as videttes
ween the two rivers, provided it should meet with the approbation
your Excellency. He has complied with my request, and has this
r reported himself to me, together with two Lieutenants, an Ensign
d twenty privates. This Company, in addition to the qualities above
ntioned, have been raised in the part of the country where they are
ended to act, are well acquainted with vessels and water courses,
ether with all roads and bye paths in that part of the country, and
uld, of course, be a much more efficient and eligible corps to obtain and
nsmit information than any under my command. I therefore take
e liberty to recommend to your Excellency to receive them into
vice for the purpose above mentioned and to place them under my
mmand.

As to the mode of providing for this corps and other particulars, I
er you to Captain Crump, the bearer of this.

Though it may be perceived from what has been said, that I think
e Enemy cannot be effectually checked until he reaches the Chicka-
miny, yet his approach might be greatly retarded by a light corps of
00 men under the command of an active Officer stationed near the
ck house.

These men could play before the enemy and could select even in that
ooth country, many advantageous points of attack, and could, upon
e enemy's approach to the Chickahominy, easily fall upon their rear.
corps of this kind could be provisioned in the neighborhood by Major
ndridge Watkins.

From the Brick house we proceeded by the way of Coles Ferry to

1814.
Sept. 2

Sandy Point upon James river. There is nothing to obstruct the landing of Troops at that point. The whole Peninsula between James and Chickahominy is here almost a perfect plain, and the only thing that prudence can suggest, is the employment of a similar corps with that proposed to act on York river. Thinking it probable however that the enemy might attempt to pass higher up the river in order to shorten their march by land, I visited Fort Powhatan with a view of ascertaining what annoyance they would receive at that point. The annexed report will shew the means of defence in the hands of the Garrison. There is a great deficiency of hard ordnance which ought to be supplied. I have no hesitation in stating it as my belief that if that Fort was well manned and supplied, it will be extremely hazardous for the British vessels to attempt to pass it. I think also that the Fort can defend itself against any force by water, and that if it does fall, it must be from an attack by land.

From Fort Powhatan we proceeded up the river to the Malvern Hills. It is here that the enemy can be effectually checked should he advance from Sandy Point, or any other point on the river below them. These Hills furnish many advantageous positions, which I shall immediately occupy. For this position together with the position at Bottom's Bridge, I beg leave to request of your Excellency to furnish me with seven eighteen-pounders to be used at Bottom's Bridge upon logs, if no better means of using them can at this time be procured—and two twelve-pounders to be used at the Malvern Hills. You will excuse this hurried report. Capt. Crump is waiting to carry it with him.

I am, &c.

M. PORTER (B. G. U. S. A.) TO THE GOVERNOR.

Sept. 3,
Norfolk

I have the honor to acknowledge the receipt of your several favors this morning, and regret that I do not find it the interest of my command to spare Lieut. Henderson. Out of seventeen Artillery Officers at this post, nine are rendered incapable of discharging their duty from sickness. Under these circumstances I am persuaded your Excellency will admit that Lieut. Henderson's services are more desirable here than at Richmond.

Nothing of importance has transpired since my last, but we expect the Enemy with the first fair wind.

I am, &c.

JAMES MONROE (SECT'Y) TO THE GOVERNOR.

orry to inform you that the enemy's squadron has passed our
t the White House on the Potomac river. It was impossible to
ch a number of heavy pieces in the present state of affairs here
vent it.

1814.
Sept. 6,
Department
of War

et which had descended the Patuxent with the troops on board
mployed against this city, and a reinforcement since received,
d paused at the mouth of that river on account as was sup-
the detention of this Squadron, descended the bay yesterday
the Potomac or some other object lower down the bay. As it
will immediately be known that the squadron has passed our
t may proceed to such other object which must be, I presume,
one in the bay, either Norfolk or Richmond.

en to give you this intelligence that you may be prepared to
enemy should they present themselves at either place.

I am, &c.

JAS. MONROE (SECT'Y) TO THE GOVERNOR.

enemy's squadron having in part left the Patuxent and stood
e bay, induces a belief that an attempt may be made on Norfolk,
you in repelling an attack if made in that quarter, I have re-
he Governor of North Carolina to order fifteen hundred men
delay to that place, to report on their arrival to the commanding

Sept. 6,
War Depart-
ment

I am, &c.

E. MASON TO THE GOVERNOR.

had the honor to receive your letter of the 31st of August.
your Excellency will be assured that it would have been sooner
to but for the general derangement of the public officers pro-
re by the presence of the enemy. The ordinary and regular
to prisoners is to request the military to deliver them over to
hal of the State or some Deputy Marshal employed for the pur-
l most convenient to the place of capture. But in this instance
resumed the communication across the Bay is interrupted, and
arshal of the next neighboring State (Maryland) is so far distant
ould be expensive and troublesome to march that small number
ers to Baltimore, I have requested the favor of Major Pitts to

Sept. 7,
Office of
Comr.
Prisoners
Washington

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Office of
Comr.
Prisoners
Washington

endeavor to dispose of them by communicating with some of the enemy's ships in his vicinity and making an exchange for them.

In this case, the question of Prisoner or no Prisoner can but be decided against the Enemy. In the commencement of the war, this Government, anxious to produce by example the most liberal construction on this point, in one or two instances released without condition their men, altho' found in arms, who had been cast on shore by stress of weather. They have however so illy retributed this honorable course of conduct, that it was soon seen that to continue it would be worse than useless. But independently of these considerations, the men in question, by the attempt to conceal their real character, have forfeited all claim of that kind.

The British fleet which laid Alexandria under contribution, hauled off from that place on Saturday. On Monday they were for a short time engaged by Captain Porter with a half dozen heavy Guns and some Field Artillery at the White House, twelve miles below, but as the wind was fair and strong in the latter part of the affair, they passed him with but little damage to their ships. It is believed however they were smartly galled by our Riflemen. They poured in an immense quantity of round shot and grape for two hours on our Battery and Camp. We lost however only six or seven killed and fifteen to twenty wounded.

The same evening, Commodore Perry opened a battery on them of a few guns from the Indian Head, a few miles below the White House, which they returned with a tremendous fire.

No material visible injury was done to their ships. It is not yet known what loss Perry has sustained. Yesterday at 4 o'clock P. M., the British Fleet was off the mouth of Quantico.

By the last accounts from Patuxent (last evening) the last division of the Enemy's forces there had pointed their course down the Bay.

I am, &c.

WM. NEKERVES TO THE GOVERNOR.

Sept. 8,
Richmond

Your letter of the 5th instant, requesting a further accommodation from this Bank by the payment of warrants drawn on the Treasurer in anticipation of the Revenue of the Commonwealth, was duly received, but not officially acted upon until this day in consequence of the absence of several of the Directors.

I now communicate to you a resolution of the President and Directors of this date on the subject.

"Resolved that the Cashier be, and he is hereby authorized and requested to take up the warrants mentioned in the letter of the Gover-

nor of the 5th instant, to an amount not exceeding one hundred and fifty thousand dollars including the warrants heretofore taken in."

1814.
Sept. 8,
Richmond

I am, &c.

JOHN DAVENPORT TO THE GOVERNOR.

Informing him of his safe arrival at Cartersville with the Books of Record and papers of the Land Office, and the renting of a suitable house at that place for storing them.

Sept. 11,
Cartersville

JAS. MONROE (SCTY.) TO THE GOVERNOR.

I rejoice to have it in my power to announce to you that the enemy have made an unsuccessful attack by land and water on the Town of Baltimore.

Sept. 14,
War Department

I transmit to you a copy of a letter from General Smith communicating this important intelligence.

I am, &c.

Copy. HEAD QUARTERS HAMSTEAD HILL, BALTIMORE,
Sep. 14th, 1814, 10 A. M.

SIR,—I have the honor of informing you that the enemy after an unsuccessful attack both by land and by water on this place, appear to be retiring. We have a force hanging on their rear. I shall give you further particulars in the course of the day.

I have the honor to be, &c., &c.,

Your most obedient servant,

S. SMITH.

Hon. Jas. Monroe, Acting Scty. War.

The enemy's vessels in the Patapsco are all under way going down the river. I have good reason to believe that General Ross is mortally wounded.

CHAS. JOHNSTON TO BENJ'N HATCHER.

You will perceive by the enclosed resolution of the board of Directors that it is made my duty to request of you to call upon the Governor and Council for a military guard for the protection of this place.

Sept. 16,
Far Bank
Lynchburg

The Resolution has been adopted in consequence of a disclosure of

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Sept. 16,
Far Bank
Lynchburg

some negroes upon a late examination, at which, altho' a plot was not actually developed, yet it appeared from the evidence of all that a general rising of the blacks in this quarter has lately been the subject of frequent conversations amongst them, and that the Banks of this place have always been spoken of as the first object.

This spirit of insurrection has no doubt been produced by two causes, first, the approach of a foreign enemy; and secondly, the exposed condition in which this part of the country has been left by the repeated calls of the Militia which have been made upon it, leaving scarcely any other population than that of old men and boys.

The board of Directors seeing the danger to which such a state of things exposes this and a similar institution, in which the State has also a deep interest, and believing that by placing a small military force at this place to serve as a rallying point, the danger may be averted, have felt it their duty to take up the subject, and to request you to ask of the Hon'ble Executive to afford us such protection as they in their judgment may deem adequate to the object.

I am, &c.

The board of Directors having some reason to apprehend an insurrection amongst the Blacks, and believing that the Banks at this place will be one of their first objects,

Resolved, That the President be requested to write to the President and directors of the Farmers Bank at Richmond for the purpose of laying the subject before the Governor and Council, and to request that the Governor and Council will, if it be not incompatible with the public safety at other places, furnish for the protection of the Town of Lynchburg one or more companies of Militia with arms, ammunition, &c.

DAVIDSON BRADFUTE, Cash'r.

Lynchburg, Sep. 16th, 1814.

WILLIAM R. CUSTIS TO THE GOVERNOR.

Sept. 19,
Accomack

In the absence of Lieut. Col. Bayly the command of the 2nd Regt. has devolved upon me. From the great difficulties we experience here from the want of pecuniary assistance, I have thought proper to dispatch John A. Bundick, Esqr., the Quarter Master of this Regiment, to Richmond for the purpose of soliciting aid from the Executive.

The enemy first established himself at Tangier about the 5th of April last. Since that time part of the Regiment has been continually upon duty, and upon several different occasions the whole Regiment has been called out. Shortly after the commencement of the Guards being established on the Bay shore, the quarter Master was enabled to purchase pro-

1814.
Sept. 19,
Accomack

visions entirely from the Loans made by the officers. The sum which was furnished by the Executive through Mr. Wise in June last, has been entirely exhausted in furnishing provisions, and the Quarter Master is now considerably in advance to the Regiment. A resort has again been made to the Officers for loans, but with much worse success than formerly, there being not a sufficiency obtained in that way to sustain the troops on duty for 10 days. Since the first commencement of the guards, the officers of the Regiment have drawn neither pay nor rations, and not one of the soldiers has received a single cent for pay. In fact, recently the Soldiers have found themselves provisions under the expectation authorized by their officers, that the Quarter Master would pay them the price of the component parts of the ration in money; but on their discharge, the situation of the finances of the Quarter Master was such as to preclude the possibility of his doing so. The pressure of these circumstances has lately been particularly hard upon the people of this Regiment. They have performed a great portion of particularly fatiguing Military duty without compensation, and have recently been compelled to pay the high taxes which the pressure of the times have required to be imposed. They have however, borne the whole with cheerfulness, from a confident hope and expectation that the justice of the Executive would not permit the revenues to be drawn from Accomack to support the war, and leave the people of this county without compensation for their services, when from their peculiarly exposed situation they have had to perform a very arduous duty. I believe that the 2nd Regiment has performed its duty with as much alacrity and cheerfulness as any Regiment in the Commonwealth, but I can not indulge the hope of a continuance of this good conduct without their being paid for their services. The compensation which the farmer and mechanic receives when called into service, is small enough indeed, and without that is paid punctually, it can not be expected that they will do the duty as well as if they are paid when entitled to it.

From our Geographical situation, it is well known that unless we are furnished with money and other necessary means of defence, it being impossible for us to derive assistance on any emergency from the Western Side of the Bay, we must give up the show of resistance and submit to the mercy of a merciless Enemy. There is no Regiment in the Commonwealth to whom this alternative would be more unpleasant than to the 2nd, yet, disagreeable as it is, they see no possibility of its being averted except the Executive will furnish us with the necessary means of defence and support. Of Ammunition, we have a good supply; of cannons, we have but few; and 60 or 80 musket would completely arm the Regiment, but all this will not do without money to purchase provisions. From the readiness with which the Executive have hitherto attended to all the requests of the Eastern Shore, the

1814.
Sept. 19,
Accomack

Executive stand high in the estimation of the people, and the confidence reposed by me in them, induces me to expect confidently a favorable result to the present application. I hope the Executive will furnish us at least with a sum equal to the Revenue from Accomack, and a draft on the Sheriff would answer as well as the cash. This will be handed by Mr. Bundick, who is competent to give the Executive every information which may be wanted relative to the Enemy, and relative to our own situation. The force of the Enemy at Tangier is almost continually changing. At present it consists of 1-74, 2 Brigs, and several schooners, and about 10 days past it consisted of upwards of 20 Ships and Brigs.

I am, &c.

JAMES MONROE TO THE GOVERNOR.

Sept. 19,
Department
of War

The Enemy has passed down the Bay, out of sight, below Annapolis. It may be presumed that they will attack either Richmond or Norfolk.

The force collected near Richmond is, I trust, fully adequate to its defence. Norfolk, General Porter writes me, is not so well prepared. Cannot some additional force be thrown into its aid. I fear the reinforcement from North Carolina will not arrive there in time.

I am, &c.

JAS. BANKHEAD (ADJ'T GEN'L) TO THE GOVERNOR.

Sept. 19,
Norfolk

I have the honor to enclose to your Excellency a morning report of the forces at this Post which will convince you, I have no doubt, of the propriety of ordering the number of Troops last required for the defence of this place.

An Express has been sent to the Governor of N. Carolina, to request him to hurry on the Troops required of that State, but should they arrive in due time, it is conceived that our force here will be too small.

By Command.

I am, &c.

M. PORTER TO THE GOVERNOR.

Sept. 22,
Norfolk

I discover, with regret, that your request to be furnished with an Engineer has by some inadvertancy, never been replied to. It will at all times give me pleasure to render you any service in my power, but it

utterly impossible to spare Captain Thayer, who is the only Engineer know of in Virginia. You mentioned a Cap't Randolph of the Flying Artillery as an Officer who would probably answer your purpose. I know of no such Officer; but it is probable you allude to Cap't Randolph of the 20th Regiment, U. S. I. I have been informed that that Officer is in Virginia somewhere, but at what place, or upon what duty, I am unable to say, and therefore could not command him.

1814.
Sept. 22,
Norfolk

I am very much disappointed in learning from D. A. Gen'l Gooch's letter of the 19th Inst., that your Excellency cannot spare a part of the forces collected near Richmond for the protection of this place, as I fear the want of them may be attended with serious consequences. Two 74's, a frigate and tender of the enemy's vessels came down the bay to-day. The 74 is gone to sea, and there is another sail in view coming down the bay.

I am, &c.

CHAS. EVERETTE TO JAMES MONROE (SECT'Y WAR).

The defensive measures taken by the State of Virginia both to repel invasion and to meet those predatory attacks of the Enemy with which she has been constantly threatened, have no doubt been duly appreciated by the Government of the United States.

Sept. 29,
Washington

To enable her to continue those defences, deemed not more important to her own safety than essential to the security of that portion of the Union of which she forms a part, the Executive has requested me respectfully to represent to you the present exhausted state of our finances, and to solicit such aid as it may be convenient for the General Government to furnish. I shall not advert, Sir, to those claims already presented to the department of War on a former occasion, and which since that time have accumulated to a very considerable amount. The ground on which they stand has been heretofore fully and ably elucidated, and they clearly evince a disposition on the part of Virginia, when the occasion presents, promptly to advance the means she possesses, and frankly to repose on the justice of the Government for future retribution. But I would beg leave to call your attention for a moment to the present condition in which the war has placed us.

To protect our shores from the constant inroads of the enemy, the Militia of the whole of our low county has been kept almost on constant duty, besides the repeated and almost daily reinforcements which were required to supply the Post of Norfolk. About the first of August a detachment of 2,000 men under the command of Gen'l Porterfield, were ordered to take the field, and scarcely had this Brigade assembled, when it was ascertained that the present formidable force of the Enemy had entered our waters, and its sudden ascent on the City of Washington

1814.
Sept. 29,
Washington

induced the Executive of the State to order out 10,000 men for the defence of Richmond and the surrounding country. In addition to this, a considerable force was ordered to rendezvous in the Northern Neck to protect the shores of the Potomac, with a view to look to the defence of Washington or any other point to which it might be directed. Not having time to consult the General Government, and being unwilling to add to the difficulties already resulting from the pressure of the Enemy, the whole of this force, with all its concomitant expense supported by the State, has been kept in the field until the present time. It is no doubt well known to you that the sum of near 500,000 dollars had been formerly advanced to the Government of the U. S. in the various calls of the State Militia to Norfolk and elsewhere, and that a part of those claims had already been sent forward and acknowledged to be due by this department, but still remain unpaid. We have recently advanced to Mr. Jennings alone, the contractor of the U. S. at Richmond, near 70,000 dollars, besides a very considerable amount to others for subsistence of the troops now in service; at the same time also finding the Brigade of Gen'l Porterfield after it had been received into the service of the United States, destitute of funds, necessary to furnish supplies, we have advanced upwards of 20,000 dollars to D. Q. M. G. Wheaton on the promise of repayment in a few days.

Of all those different sums amounting in the aggregate, it is supposed, to very little short of a million dollars, an expense as necessary to the support of the Army, as the Army was to the safety of the State. Not a dollar has yet been repaid, and we are now compelled to appeal to the justice and liberality of the General Government for such aid as it may be disposed to afford us.

It is very far indeed from the wish of the Executive to press the extent or nature of those claims, especially at a time like the present, on the attention of the General Government, but the painful alternative is at length presented of disbanding the troops now assembled for our protection or of procuring the means necessary to feed them. Should they be disbanded, there remains no impediment to the march of the Enemy in three days if he choose it, from the time he enters our waters until he arrives at the city of Richmond. To the position of this force on a late occasion, it is believed the safety of our Capitol is justly to be ascribed. With those views, therefore I am directed earnestly to solicit an advance of 50 or 100,000 dollars, a sum most likely for the present to relieve our embarrassments and meet engagements we have already made. Should the amount asked for not be convenient at this time, I must request whatever sum it may be in the power of the Government to grant us. I am also requested to ask of the President the acceptance into the United States service of the troops now stationed in the neighborhood of Richmond, or such portions as shall be deemed sufficient

for the protection of that section of our Country. It has at all times been the wish of the Governor, that whenever a force was called into service for the defence of the State it should receive the sanction of the General Government and be placed immediately under its control.

1814.
Sept. 29,
Washington

Every occasion has been taken not only to offer this force, but to press the subject on the attention of your predecessor in office, and I feel justified in assuring you Sir, such is still the desire of Virginia, heartily to co-operate with the General Government in all the defensive measures of our Country, that she stands ready to contribute any further aid within the limits of her power which has for its object the speedy and successful termination of the present war.

I am, &c.

JAS. MONROE (S'CT'Y WAR) TO THE GOVERNOR.

The recent movements of the Enemy, many of his vessels being at this time at the mouth of the Potomac, and the accounts that Lord Hill had either arrived, or might soon be at Bermuda with powerful reinforcements, have induced the President to make additional requisitions for Militia. I have therefore to request your Excellency to call into the service of the United States, and put in march for this city as soon as practicable, all the *States quota* of Militia; Infantry and Riflemen detached conformably to the requisition from this department of July 4th, 1814, within the Counties adjacent to and west of the Blue Ridge, and not now in the field, to the amount of four thousand, properly organized and officered, including in this arrangement Brigadier General Madison and the troops now out under his command. One other Brigadier will be required, making two Brigades of two thousand each.

October 2,
War Department

It is desirable that as great a proportion of this force as practicable, should be riflemen, and such of the Infantry as have Rifles should march with them in preference to Muskets.

Much attention will be necessary to prevent too extensive baggage trains. No more than one wagon being allowed to a Company of one hundred men.

As this force will be marched in two distinct commands, no Major General will be required. I have to request your Excellency to put into these movements all the expedition practicable, and to accept the new assurances of respect.

I am, &c.

CHAS. EVERETTE TO THE GOVERNOR.

1814.
October 4,
Washington

Inclosed I send you a copy of my letter, addressed to the Secretary at War 6 or 8 days ago, expecting an answer almost every day, but none is yet obtained. I have had several occasional conversations both with him and the President since, and with some assurance that something should be done for us.

The difficulty with them, is the policy of recognizing the troops at the present time, when almost all the States are pressing in some shape or other the same question, and some of them, which have been most unfriendly to the Administration principles, unjust and illiterate. The present time is perhaps improper to press such a subject which might involve the U. States in a debt to an immense amount justly due, as it regards some and very much the contrary as it respects others.

A report is now preparing on the subject of the Militia and the best mode of recruiting the Army by the Secretary at War, which I think a very able one, and which, I think, will relieve the services by the Militia, and in some measure prevent this eternal controversy arising out of the State claims. I have, for 3 or 4 days passed, called to get an answer on the subject of my note, and have been urged by the Secretary to stay a day longer for him to get more at leisure, but find him every day more oppressed and overwhelmed with business and people from all quarters of the Union. To-day I called again, when he promptly told me, as yet he had not been able to bestow any further time on my business, but that I must not go away; he would try and do something. He thought it would not be proper to recognize our troops at this time; at least he could not do it as to the full number now in service on his present limited state of information, and to take them partly would appear an indirect rejection of the balance. I thought so too, and agreed with him. I thought it best to let the subject rest on the ground it now stood for the present, especially if he could afford us any pecuniary aid, which he promised to do, provided I took Treasury notes, which I consented to do, and which he expected on from Philadelphia daily.

I thought it best to wait—such has been the pressure and fatigue of this gentleman by the overwhelming duties of his office, besides the several important reports which he has had to prepare for Congress, that when I have had a chance to find him alone for a few minutes, I found him so exhausted that it would be cruel almost to speak to him on anything. I am assured, and am perfectly confident of a disposition on the part of the President, to grant us every facility that the delicacy of his situation and the justice of our claims require; but you must be aware of jealousies of the States and the jeopardy to which their funds are exposed to on such occasions. For several days passed I have attempted

to get off, but the hope, nay, the promise of something to be done for us have delayed me. I hope this will be understood, and the delay put to the proper motives by the Council and your Excellency, for be assured I have been heartily sick of this place for some time, and perfectly without any amusement from the debates of the Nation assembled here. The black hole of Calcutta was scarcely more unfriendly to healthy respiration than the pestiferous little cuddly called the gallery of Congress Hall. I ventured in it only once, and escaped with all possible expedition.

1814.
October 4,
War Department

The question of removal from this place has excited great agitation here. The mess of members with whom I dine, and from whom I get all I know of the details, think the removal will be carried in the lower house, and it is doubtful whether a majority of one will be for or against the removal in the upper.

Mr. Dallas was nominated for the Treasury Department to-day. He will be elected. The Enemy still in the Potomac. Nothing will be done by them as yet, and nothing is expected against us. Baltimore is, no doubt, the object of another attack. Lord Hill arrived at Jamaica, and a considerable force landed near Pensacola. An army for the South is ordered. Our ministers ordered home. How would you like General Wilkerson for the District Commandant of Virginia? Would our people be willing to confide in his military skill; trust to his personal prowess, or repose in his moral and political honesty? I honestly said I should not. Do let me hear from you, and I promise to write no more before I return.

I am, &c.

JAS. MONROE (SECTY.) TO HON. CHAS. EVERETTE.

For the expense attending the Militia who have been called into the Service of the United States by this Department, or the Commander of the Military District No. 5, the United States are regularly chargeable. For any advances made by the State of Virginia for the support of such troops, reimbursement is of course due.

October 6,
War Department

No call of the Militia, except in the modes above stated, is obligatory on the U. States. In the case under consideration, it is true that the call made by the Executive of the State was notified to this Government, with a request that the Militia might be taken into the service of the United States.

This, however, does not remove the objection to the right in a State, at its discretion, to subject the United States to such expenses. The President is aware that the predatory incursions of the Enemy and the menace of a more serious attack on the principal cities along our sea-

1814.
October 6,
War Department

board made an extra call of militia in certain cases necessary. Whether the troops which were called into service by the Executive of Virginia for the defence of Richmond are more than were necessary for the purpose, is a question which could not be immediately decided. It will be attended to as soon as circumstances will admit. In making the decision, regard must be had to just principles, taking into view similar claims of other States.

For the present I am authorized to state that one hundred thousand dollars will be advanced to the Executive on account of money paid by it in support of the troops in the service of the United States in the first instance, and the balance on account of the other claims alluded to which are hereafter to be adjusted.

On the proposition to take the Militia now assembled for the defence of Richmond into the service of the United States, I have to state that it will be acceded to as to four thousand of those troops, provided the Executive of the State should be of opinion that they may be in the present less menacing posture of the Enemy spared from their present service to be employed between this and Baltimore in lieu of a like number lately called from the State for that purpose.

I am, &c.

J. CHOWNING (LT.-COL. 92ND REG'T) TO THE ADJ'T-GEN'L.

October 8,
Lancaster
County

On the 4th Inst. I received information by express from Col. Downing of the 37th Reg't that the enemy had invaded his county in force, at the same time calling on me for aid.

The circumstances (from the best information that I have received,) are that on the morning of the 4th instant, the Enemy, 3,000 strong, landed in two detachments, are at the head of Cone river near Northumberland C't House, which moved on towards that place with such rapidity that the small force stationed there were unable to check them.

Tho' it is pretty well ascertained that in the skirmish the enemy had a Captain of their Bomb Ketch killed and one private mortally wounded. The other detachment landed ten or twelve miles above, and proceeded down the County, no doubt with a view of cutting off the retreat of the Militia, but the com'd't having received information of the enemy's landing above him, made good his retreat by a different route from that taken by the Enemy, tho' the greater part of the ammunition as well as 30 or 40 stand of arms fell into the hands of the Enemy. The enemy has taken off a number of slaves, stock, &c., and wantonly destroyed the furniture of a number of individuals. The houses of only one farm have been burnt by them, which was done by a small marauding party that landed in the lower part of the County on the 7th Inst.

The Enemy debarked on the 5th Inst., except a few that remained 'till the 6th, on which day the enemy's squadron got under way and stood down the bay, except 4 ships and 2 Tenders, which remained off the mouth of Weir's river 'till to-day, when 1 ship and 2 Tenders got under way and are now standing down—destination perhaps Rappahannock river. The other three ships still off the mouth of the river.

1814.
October 8,
Lancaster
Co.

I am, &c.

R. G. SCOTT TO C. W. GOOCH (ASS'T ADJ'T GEN'L).

From Express just received from sailing Master Henry of the United States Navy stationed at Fox Hill, 19 sail of the Enemy being part of those mentioned in my communication of yesterday, and consisting of 5 Frigates, 9 Transports, 3 Brigs, and 2 schooners, have drop'd down and come to anchor abreast of the Capes. He also states that 4 ships, 1 Brig, and 1 schooner have just hauled round New Point and standing up Mob-jack Bay. The whole number of square rigged vessels that have come down the bay within 20 days are 55.

October 10,
Williams-
burg

I am &c.

WILLIAM H. FITZHUGH TO THE GOVERNOR.

It has become my duty to state to your Excellency that the Militia of Stafford County were called into service in the month of July last, and retained en masse until the 18th of August, making a Tour of 28 days; and that on the 18th of August a requisition was made on the Regiment for 230 men, who have been marched to Snowden's Iron Works.

October 12,
Stafford

In consequence of the Tour by entire Regiment, and the subsequent heavy draught on the 45th Regiment, the people find it impracticable to pay their Taxes in the time prescribed by Law, unless the amount of pay for services rendered can be immediately forwarded, which I humbly trust will be done as speedily as your Excellency finds it practicable.

The amount due for services rendered from the 22nd of July until the 18th of August, is about \$6000.

I am, &c.

JAS. MONROE TO THE GOVERNOR.

The great pressure of business upon me both from the War and State Departments, must be my apology for not answering at an earlier period yours of the 5th instant. I am much gratified that you have ordered

October 15,
War Depart-
ment

1814.
October 15,
War Depart-
ment

on to this place Genl. Leftwich's Brigade. It will be essentially necessary that the men bring with them their arms and accoutrements, for all losses of which the United States will become answerable.

Since writing the above, yours of the 13th instant is received, and am pleased to observe that in addition to Leftwich's you have ordered Breckenridge's Brigade to this place.

I must again repeat the request that the men may be permitted to bring with them as many arms as can with propriety be spared. The calls from Pennsylvania, Maryland, Carolina, and the arms furnished to Genl. Douglass and Singleton's Brigade of Virginia Militia having exhausted our stock at Harper's Ferry, and the distance is too far to draw them in time from Springfield.

I am, &c.

WM. BOLLING (CAPT. CAVY.) TO THE GOVERNOR.

October 20,
Goochland

The day after the receipt of your Proclamation of the 26th of August, the troop of Cavalry under my command met at the Courthouse, when the officers consisting of the undersigned, Lieuts. Ferguson and Royster and Cornet Lewis, together with Sergeants Philpotts and Smith, Corporals Dandridge, Hunter, Payne and Gay, and privates Bailey, Campbell, Gay, Harding, Humber, Jarret, Lewis, Miller, Mims, McRae, A. S. Payne, Reynolds, F. W. Royster, Vaughan, Jos. Watkins and D. Wade, determined to march instanter to Richmond and offer their services to their country.

We arrived there the next morning, and were attached to Gen'l Cocke's Brigade. A day or two afterwards the rest of the troop were ordered into service, when we were placed under command of Col. Green, of the 2nd Elite corps, with whom we marched, and were stationed at Charles city courthouse, where we remained until the 13th of September, when, in consequence of our having served a six months' tour of duty last year in Norfolk, and there being a sufficient number of troops arrived who had not, we were discharged.

At the time we received our discharges, I was entrusted by the whole troop, with the exception of six, to inform you that they relinquished to their country all claims for compensation during the time they were in service.

I am, &c.

ADJUTANT GEN'L'S OFFICE, NORFOLK, *Octo. 26, 1814.*

Requisition on the Executive of Virginia for one Regiment of Infantry to repair to this post by the first of December, 1814:

Two Lt.-Colonels, two Majors, one adjutant, one Quarter Master, one Surgeon, two Surgeon's Mates, one Sergeant-Major, one Q'm Sergeant, one Drum Major, one Fife Major, Ten Captains, Twenty Lieutenants, Twenty Ensigns, Fifty Sergeants, Forty Corporals, Ten Fifers, Ten Drummers, and nine hundred privates—making an aggregate of *one thousand and seventy-three*.

1814.

By Command.

JAS. BANKHEAD, Adj't General.

MOSES GREEN (COL. ELITE CORPS) TO ROBT. QUARLES, ESQ.

Recommending George Watt, Esq., for the office of Wagon-Master General.

October 28,
Charles City
County

JAMES MONROE TO THE GOVERNOR.

Your Excellency's letters of October 22nd and 31st have been received.

Nov. 3,
War Depart-
ment

My letter to General Porter of October 25th, a copy of which is herewith inclosed, will supercede the necessity for any further requisitions on Virginia at this time for the defence of Norfolk.

Lt.-Col. Hamilton is ordered with 500 men of the 3rd Rifle Regiment to the Northern Neck of Virginia, and will be stationed there during the winter, until those troops arrive from North Carolina. Gen'l Scott will provide for the defence of that part of his district by posting 500 detached militia in that quarter.

I am, &c.

W. SCOTT (GEN'L U. S. A.) TO THE GOVERNOR.

By authority in me vested, as the commander of this district, I have the honor to request that your Excellency will cause to be detached from the militia under your command, four complete companies of Infantry and one of Artillery, to be organized into a battalion for the defence of that part of the State of Virginia (within my district), lying between the Potomac and the Rappahannock rivers. This battalion will be accepted as a part of the Virginia quota under the requisition of the War Department, bearing date the 4th of July, 1814, and it is desirable that it rendezvous as early as possible at Cox's house, near Yecomico church, Westmoreland county. Your Excellency will oblige me by instructing your Adjutant-General to furnish me with the name of the officer who may be detailed for this command.

Nov. 7

1814.
Nov. 7

It may be satisfactory to add that Lieut.-Colonel Hamilton, an excellent officer, with a battalion of U. S. Riflemen, is now in march from North Carolina for the same rendezvous in Westmoreland. He may be expected to reach his destination by the first of next month, when the Virginia battalion will be discharged.

I am, &c.

JAMES SMITH TO THE GOVERNOR.

Nov. 9,
Baltimore

This will be delivered to you by my friend, Dr. William N. Mercer, whom I have requested to call on you and receive for me the first semi-annual payment of the sum appropriated by your Legislature, and agreed to be paid to me for furnishing the Vaccine Matter to citizens of Virginia.

As the Law requires you should be satisfied that I have faithfully complied with my contract, I beg leave to refer you to Dr. Mercer who will be able to give you personally the same information I could if present myself.

From the frequent applications made to me by the citizens of Virginia for Vaccine Matter, and the general success which has attended its use among them, I believe much good has been already accomplished, and flatter myself that our continued exertions will prevent the small pox from making any serious encroachments in future within the limits of your State.

I am, &c.

BENJ'N HATCHER (PRES'T) TO THE GOVERNOR.

Nov. 14,
Far. Bank of
Virginia

The Resolution of the Senate and House of Delegates, authorizing the Executive to contract for a loan of two Hundred Thousand Dollars for the use of the Commonwealth, has, agreeably to your request, been submitted to the Board of Directors for consideration, on which they came to the following conclusion:

Resolved, That the whole sum of two hundred thousand dollars be offered on the following conditions, viz:

The Farmers' Bank will loan to the Commonwealth Two hundred thousand dollars at seven and a half per centum Interest, payable half yearly: provided, a law shall pass directing the Treasurer to reimburse the said loan out of the first money that shall be paid into the Treasury from the Revenue of the year 1815, and as soon as a law shall pass conformably to the above conditions, this sum shall be placed to the

credit of the Commonwealth, payable to the warrants of the Auditor on the Treasurer only, whose duty it shall be to mark on the margin of such warrants, "On account of the loan to the Commonwealth." 1814.
Nov. 14,
Far. Bank of
Virginia

The Directors having recently had before them a proposition from the United States to loan at eight p. cent., consider that their duty to the Stockholders would not warrant them in making the rate lower than that expressed in the resolution.

I am, &c.

JAMES MONROE (SECT'Y WAR) TO THE GOVERNOR.

As the demand for Muskets and Rifles for the ensuing year may possibly exceed the supplies which can be furnished by the Armories that belong to the United States, it would be desirable to know at as early a period as may be convenient, whether any, and to what extent, supplies of those Articles, or either of them, could be procured from the Armory belonging to the State of Virginia at Richmond. Nov. 18,
War Depart-
ment

Should the Armory be in a situation to enable the Executive of Virginia to enter into a contract with the United States for Muskets and Rifles, or either, you will be pleased to state the number of each that could be delivered monthly, after the first day of January next, and the price per stand.

It is also desirable to know whether heavy Ordnance can be immediately supplied by the foundry at Richmond and on what terms.

I am, &c.

ARCHIBALD RITCHIE (LT.-COL. 6TH REG'T) TO THE GOVERNOR.

Being seriously indisposed from long sickness and the exposure of yesterday afternoon and last night, and deeming it my duty to give to your Excellency the earliest intelligence of the distressing, unexpected, and discouraging results of this day, I have been compelled to relieve the one and perform the other, to leave the camp, I hope for this night only. About half past 2 o'clock yesterday, I received intelligence from Col. Banks of Tappahannock, that at 10 o'clock he left Col. Muse in Middlesex, and that 12 Barges and one large Sloop of the Enemy were passing his house and standing up the Rappahannock. That notice hereof had been given to the Major of the lower Battalion and sent to most or all the officers thereof. I immediately issued and forwarded orders to the remaining officers of the Regiment. I then left home for Tapp'k, and reached there about dark. When arrived, advice was wait- Dec. 1,
Essex

1814.
Dec. 1,
Essex

ing there for me from Col. Branham, of the 41st Reg't, that the enemy, consisting of 14 Sail, are rapidly ascending the Rapp'k river. At 10 o'clock this morning they were above Col. Ball's under sail. Immediately thereafter a vidette arrived bringing communication from Col. Muse, of the 109th Reg't: "Since 8 o'clock this morning 13 Barges and 8 square rigged schooners have passed my house." Understanding also from several officers that they had proceeded much higher up the Bowler's before sunset, and finding that the weather favored much their mode of warfare, I set about removing the pieces of Artillery and the ammunition belonging thereto stationed at that place, to some place out of Town. The difficulty of procuring horses (as we had to send into the country for them) occupied half the night before they could be gotten out. As soon as dawn afforded sufficient light this morning, the barges and vessels favored by the Flood Tide were discovered in motion standing up. Upon the turn of the Tide the barges rejoined the vessels, and the whole came to anchor, then about four or five miles off; thus they lay until a light wind springing up and the Flood Tide beginning to make above, half past 10 o'clock they proceeded up, and the number and description of their vessels was then ascertained to be 8 Schooners, some apparently wide and booming, much calculated to carry troops; one very large Sloop, and about 15 barges. Previous to this I had ordered one (for horses could not be got to bring another,) of the Field pieces with a supply of ammunition back to town. Upon manning the piece, eight only of the Artillery company had arrived. Upon enrolling the Infantry, only 30 appeared, and of the Cavalry about 16 answered when called.

With this force I deemed it too prodigal of the lives of my valuable officers and men to contend with the Enemy then advancing upon us. The Troops remained in Town until the Enemy had fired many cannon, one of which struck the easternmost part of Dr. Brokenbrough's large House; some struck in the Lots, and some passed over. We then retired, carrying with us the Field-piece to the range of hills one and a-half miles from Town, on the Fredericksburg road. Here I left them just before sunset, with orders to retire about 3 miles to procure barracks and refreshments.

The Enemy took possession of the Town soon after we evacuated it. Two Gentlemen of intelligence, who bore commissions in the Revolutionary war, reconnoitered them so close in their debarkation as to have three muskets fired at them, one of which had nearly taken effect. These Gentlemen concur in the opinion that there must have been nearly Five Hundred armed combatants.

Since the first squadron approached, several large Schooners crowded with Troops have come up, and intelligence from Bowlers, 10 miles below, gives us to know there are two large Schooners full of Troops aground which will get off this evening on the high Flood. Upon the

approach of the Enemy this morning, I made a demand upon Col. Boyd, of King and Queen, for 200 Infantry, and shall in the morning make a further requisition upon Col. Todd, of Caroline, for 300 men. The Enemy on his way up captured several craft—some loaded with corn, &c., and others empty. I have the high gratification in saying to your Excellency that the officers and men who were compelled to retire before such fearful odds, evinced the greatest determination and willingness to meet the Enemy when anything like equality would justify it. The Infantry and Cavalry force has increased much since 12 o'clock, but not so fast as we had a right to expect.

1814.
Dec. 1,
Essex

Cavalry —mpany remain at Bowler's; as soon as all the vessels pass that point — join the main command. I am truly sorry to state the Inhabitants of the Town have lost much, owing to the weather favoring the Enemy so much, and operating so unfavorably on them, together with the short time given to remove. All have brought out some things, but Col. Banks will suffer particularly, having removed but few of a great many. With his store and most of his property, Mr. Blake, merchant, remained in Town. How he will fare time will develop. To what few officers and men as were in Town last night I am much indebted for the preservation of all the artillery and ammunition. Had it been permitted to remain untill the morning, all would have been lost, as draught horses could not be procured.

I shall keep your Excellency regularly informed of their movements. I have no doubt but they intend — higher up Friday morning. The idette informs me he met Capt. Jones early this morning, who told him that the Enemy blew up his Tannery, within a Quarter and half a mile of Town last night about eight o'clock, and that a part, or the whole of the Town, was fired last night.

I am, &c.

JAMES BANKHEAD ADJ'T-GEN'L TO THE GOVERNOR.

I am instructed by the Commanding General to inform your Excellency that Mr. Hemssly, sailing master United States Navy, has this moment returned from the Enemy's squadron in the Chesapeake Bay, where he has been a prisoner, and states that an expedition consisting of 10 Bomb Ships, several schooners, and a number of barges, well manned, and about 800 marines on board under the command of Admiral Cockburn, has gone up the Rappahannock with the avowed determination of plundering the Inhabitants and of devastating the Country.

Dec. 2,
Norfolk

This communication the General has deemed of sufficient importance to send by express; not with very sanguine hopes that any reinforcements you may be able to send to that section of the State, will be in time to

1814.
Dec. 2,
Norfolk

prevent the entire execution of the object of the Enemy, but that in these retrograde movements they may be so much harrassed and annoyed as to deter them from similar efforts for the future.

Admiral Cockburn arrived on Tuesday last, the day the expedition moved up the Rappahannock, and immediately joined it. Twelve thousand men have arrived at Burmuda, and the troops lately in the Chesapeake have gone to the South—New Orleans supposed to be their destination.

I am, &c.

J. H. COCKE (B. G.) TO THE GOVERNOR.

Dec. 4,
Tappahan-
nock

In two hours after my communication this morning, the Enemy as suddenly and capriciously as the shift of wind which took place at that time, turned about and made all sail down the river.

His fleet, consisting of fourteen craft, including one large Schooner and a sloop heavily armed, with all their barges variously estimated from ten to twenty-five, all of which had ascended the River about 12 miles above this place, returned this morning about 10 o'clock, and were out of sight standing down the river before 12 o'clock. We have intelligence of his passing Bowler's at an early hour this evening, and with the present wind, unless he has anchored, must have reached nearly the mouth of the river.

This rapid and unlooked for movement has baffled all my schemes. I had anticipated from his bold and rapid ascent that he would have penetrated as high as the narrows of the River, and there I had strong hopes of being able to make him feel us.

I learn from an intelligent man of this place that the expedition was commanded by Comdre. Barrie and Col. Malcomb.

The number of Troops landed here did not much if any, exceed 500, but it was evident they had other troops in vessels from which they were not landed. Of the number landed here, there were three companies of about 50 each of negroes in uniform, and apparently well trained, commanded by white officers. They were said to be Virginia and Maryland Negroes, trained at Tangier Islands.

The above accounts are obtained from the only inhabitant of this place who remained while the Enemy had possession of the Town. He is an intelligent and observant man. He got his information from three several sentinels who were posted to protect his property from pillage. They differed in the number of Troops employed in the expedition from 1800 to 2400; but they all agreed that the whole force in our waters was here, and that their aggregate loss from desertion since their arrival in the Chesapeake, was about three hundred. They further agreed in stating

that the Troops had been healthy, and that but little loss had been sustained from sickness.

Col. Muse, who has under his command below this, about 600 men, will give the earliest information of the enemys leaving the River, or of their attempting to plunder below, in which event I shall move down to his assistance; but if, as I expect, they are really leaving the Rappahannock, as soon as I am informed of it, I shall take up the line of march for Camp Carter with my detachment, and discharge Col. Richie's Regiment and all the local Militia which has and are about to take the field. The Artillery and Ammunition asked for by my communication this morning, you will of course countermand. I shall immediately do the same in regard to the additional force called from my Brigade; for even if the Enemy should ascend the river again as suddenly as he has descended it, we have every reason to believe that we could defeat any attempt on Fredericksburg if he dared to make it, by calling to our aid the adjacent Militia.

The plundering of the Enemy has been confined — shows of considerable amount and on a few plantations. Indeed, his whole course has been marked with the most circumspect caution and evident alarm. He has never trusted himself on land a single night. An Officer remarked here that their object was to harrass the Militia—that they should beat about the Rivers for a week or two longer and then go into Winter quarters.

There has been much wanton destruction of private property in breaking windows and furniture, and one deed of damnation has been performed which out does all their former atrocities. The family vault of the Ritchies was broken open and the coffins searched. I have seen the shocking spectacle.

I am, &c.

City of Richmond, to-wit:

This day appeared before me Thomas Ritchie (an Alderman of said city), Wilson Cary Nicholas, elected Governor of this Commonwealth, who took all the oaths of Office prescribed by the Laws of the Commonwealth of Virginia.

THOMAS RITCHIE.

December 12th, 1814.

SAM'L H. PEYTON (LT. COL. 45TH REGT.) TO THE GOVERNOR.

In the present momentous situation of our Country generally, and particularly in Stafford, in which I have the honor of commanding the

1814.
Dec. 4,
Tappahan-
nock

Dec. 13

1814.
Dec. 13

Militia, I should be wanting in duty to myself and country were I to fail suggesting to your Excellency the present defenceless state of our County.

Conformable to two late requisitions, we have furnished about 250 Infantry, together with that number of the best guns, &c., belonging to the Reg't, about 100 of whom have been recently discharged in Maryland, leaving their muskets, &c., behind; and should those under General Madison be dismissed in the same manner, we shall be left with less perhaps than 100 good guns, and almost destitute of every other war munition. Knowing our exposed situation, I trust your Excellency will, with as little delay as practicable, take efficient measures for putting us in the best state of defence possible, both in arms and other Camp equipage.

The mortality pervading our ranks during the last campaign, is generally attributed to our want of tents.

About 60 or 70 common, and 10 or 15 wall tents would have a greater effect upon our militia on a future call to defend their country than any cause whatever.

I am, &c.

ROB'T NELSON TO THE GOVERNOR.

Dec. 13,
Williams-
burg

I am requested by some of the inhabitants of W'msburg and its vicinity to represent to the Government the situation of the country, and to solicit its protection against the probable inroads of the Enemy. It is a general impression here that the Enemy on their return from the Rappahannock will attempt to ravage Williamsburg and its vicinity. I do not think their apprehensions are groundless. It is evident from the course pursued by the Enemy that there is no place too inconsiderable to tempt their ravages. They are not regulated in their attacks by the prospect of obtaining the honorable ends of war. If individual distress can be effected, it offers an object worthy their pursuit.

To an enemy influenced by such motives, there is no place more inviting than W'msburg. It is within three miles of James River on one side, and about five miles from York River on the other. There are a number of inhabitants collected in a small space, whose distresses would make a rich repast for British barbarity. There are more public buildings than in any other place in the State except Richmond, and altho' in actual value not very great, if we include the College with its apparatus and library, certainly of no little importance.

The protection afforded by a thin and scattered population, harrassed for twelve or eighteen months by repeated calls on duty, is certainly very inadequate, and offers little prospect of security.

I am sure if our Enemy had an idea of the ease with which they might destroy this place, it would not be suffered to stand twenty-four hours. Their ignorance has been our shield heretofore; how long it may continue to be so, it is impossible to tell. Is it correct in any Government to rest its security on the want of knowledge in its Enemy. Permit me to say, with great deference to the better judgment of the Executive, that I think a part of the effective force, now in the neighborhood of Richmond, if stationed here, might prevent a sacrifice of property without hazarding Richmond at all.

1814.
Dec. 13,
Williams-
burg

It is certainly wise in the Executive to see that Richmond is secure, and if I thought the defence of this Country incompatible with the security of Richmond, we certainly ought to submit to destruction as the lesser of the two evils. From all that can be collected, the force of the Enemy at present in our waters is not competent to an attack on Richmond, defended by General Porterfield's force and the local Militia. If so, a part of General Cocke's Brigade might be spared for the defence of this Country, more particularly as the force stationed here will not be so far from Richmond as not to be able to aid it if necessary.

You will pardon the freedom, with which I expressed my opinion, as my apology for so doing, permit me to say, that the stake we have up, tho' inconsiderable in relative value, is all we have.

I am, &c.

The Court House of the County of Essex having been destroyed by fire, We, the subscribers (Justices of the Peace), have this day met for the purpose of recommending some place to the Executive as proper for holding Court for the County aforesaid, until a courthouse shall be provided, and have unanimously agreed that the building in this place erected for the Clerk's Office would be a proper place, and request the same may be sanctioned by proclamation as early as possible.

Respectfully we are, sir,

Your obedient servants,

Sthrechly Reynolds, Tunstall Banks, H. N. Latane, John Jones, Austin Brokenbrough, Lawrence Muse, Berryman Blake.

TAPPAHANNOCK, *Dec. 15th, 1814.*

ZEPH TURNER TO THE GOVERNOR.

I beg leave to state for the information of the Executive, that neither of the Troops of Cavalry in Culpeper, commanded by Capts. Menifee and Jones, have ever received any arms from the public. Last August,

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Richmond

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Dec. 15,
Richmond

when the Enemy ascended the Potomac, a part of Capt. Meniffee's Troop armed themselves with Rifles of private property, marched to Camp Selden, and tendered their services to Gen'l Parker for 60 days, which was accepted, and they were attached to General Madison's Brigade.

I am, &c.

PHIL. R. THOMPSON TO THE GOVERNOR.

Dec. 16,
Culpeper

During a journey from which I have just returned to the Salt Works on Kanawha River, I have been so strongly impressed with the great advantages which might be derived to this State in the present situation of our country, from adopting some efficient means of facilitating the intercourse between that portion of the country lying east of the Alleghany Mountains and the navigable waters of the Kanawha, that I have determined without delay to trouble you with a few observations on the subject, supposing it possible you may consider the matter sufficiently important to call the attention of the Legislature to the consideration of some means by which the roads may be put in such a state as to admit supplies of Salt to be drawn from thence in wagons during the next year. The benefit which would result from opening an easy communication to an abundant store of such an indispensable necessary of life, is too obvious to require comment. It is proper, however, to state in relation to the quantity of salt that might be expected to be drawn from thence, that from the best information I could obtain in the course of ten days, which I lately spent there, there are at present in operation about 50 furnaces, producing daily at the lowest estimate 2000 bushels of Salt; that from the wells in operation, the quantity might probably be increased to an annual product of a million of bushels; that an increased and steady demand would have the effect of inducing many, where works are at present, either in an incipient or unfinished state, to compleat them, and to fully supply any demand which could probably be made upon them. The price for three months past, when the demand has been greater than has been known before, has been one dollar for the Kanawha bushels of 50 pounds. Within three weeks the article has fallen to 85 cents, and the price gradually diminishing in consequence of the road having become completely impassable for wagoners—however great the demand might be. There is a probability of its being higher than a dollar, because the profit at that price is so exorbitant, that was the demand steady, new salt holders would be brought into the market, and a competition among the sellers produced, which would inevitably tend to depress the price.

The road most usually travelled by those who go from all the southern and middle counties, is by Lewisburg, passing the New River at

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Culpeper

eyers' ferry, and thence over the Cotton Hill to the great falls of Kanawha. From the Blue Ridge to Beyers', at the foot of the Sewell Mountain, no greater difficulties present themselves to the passage of wagons than are common in the middle parts of the State in passing to and from our market towns. An ordinary team of four horses might, without any great exertion, convey a ton weight to or from that place. From hence to the falls is thirty-seven miles, and the deepness of the Road and other obstacles in that distance are so formidable that I am sure I shall be guilty of no exaggeration in stating the losses incurred by individuals by the death of horses, abandonment of wagons, losses by forced sales of salt and other casualties within six weeks, at five thousand Dollars. Notwithstanding this, there are few parts of the United States through which I have travelled, where materials for constructing either a temporary or a permanent road are so abundant, or which might be brought into use at so little expense. No country in the world affords finer timber of the most durable kinds. The very road for a great portion of the distance is bordered with the largest Oaks and chestnuts, which might, with little trouble, be slabbed out and causeways formed after the Russian manner for a less sum than has been lost this fall from the badness of the road. Or, if a permanent road should be preferred, every part of it affords an excellent free stone, which yields readily to the hammer, and is peculiarly well adapted to the building a road.

If the road then was improved from Beyers', at the foot of Sewell Mountain to the falls—thirty-seven miles—and somewhat repaired to a point a little below Loup creek, six miles down the river, to which place boats might with ease convey the salt from the works, which are only sixteen miles below, a common wagon might, without difficulty, bring to any point in the eastern part of the State, forty-five bushels.

It is infinitely more difficult to suggest the best mode of effecting this desirable work than to shew the necessity of it.

From the sparse population on the road proposed to be improved, nothing is to be expected, and though it might reasonably be expected that the inhabitants of the vale of Kanawha, whose coffers are overflowing with the rich harvest they have already gathered and are still reaping, would contribute liberally to a public route in which they are deeply interested, local considerations and competitions, I am persuaded, would prevent anything like a general contribution towards effecting this object. The road of which I have been speaking, falls on the Kanawha half a mile below the falls on the southwestern side of the river. Roads as well as rivers throughout the western country are frequently considered the avenues of wealth. The salt holders and others, are on the opposite side, contend that the ground is better adapted to a good road on their side, and, moreover, that the road might be conducted over better ground and two ferries avoided, and the distance

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Dec. 16,
Culpeper

shortened by taking a road out of the present one nine miles from the foot of Sewell and delivering it on the river near the falls on their side. With these impressions they would not probably contribute to the improvement of the present road. Taking into view the facility with which the road might be formed, the shortness of the distance necessary to be turnpiked, and the constant and increasing intercourse upon it, I believe there could not be much difficulty in having the work accomplished by a chartered company if a law was passed by the Legislature in the usual manner for that purpose, and no similar institution perhaps in a short time would yield as great a dividend on the capital employed, yet I am very far from thinking this the most eligible mode of effecting the object. No one of observation has ever travelled by this route to the States of Kentucky and Ohio without discovering by a single coup d'œil that this, if not the principal, is at least one of the principal chains which are destined by nature to bind together the eastern and western portions of this great republic. Viewed merely with reference to the intercourse which must take place between the Atlantic and western States, seeing this is the nearest and may easily be made the best route for all travelling from the South of the Potomac, I have believed it the best policy for the State to occupy it as a future subject of Revenue, and by making appropriations which would not be felt, put the road in such a state of repair as would make it very convenient to travellers, at the same time that the State would from the commencement of the second year be receiving more than the interest on any capital it might be necessary to employ for its improvement.

If there is any reason in the suggestions, I am now taking the liberty to make, the case becomes incomparably stronger in favor of the States taking the road into its own hand from the Providential circumstance of the Vale of Kanawha being competent to afford an ample supply of salt to every part of the State.

If one-sixth part of the salt, now made at the Kanawha works, was transported to the east in wagons, it would require 2,500, which paying a toll of one dollar giving and receiving, would yield \$5,000.

Now I feel fully convinced, an appropriation of \$10,000 annually for five years, in the hands of a faithful agent, and of one-fifth part of the toll afterwards, would be every way adequate to forming and keeping in repair an excellent road over the ground I have described.

If the suggestions, I have had the honor thus hastily to make to you, should be deemed worthy of any consideration, it might not be improper to add that it is probable the institution of a commission of three disinterested persons to view and report on the best route for a State turnpike, to the Executive, might be attended with some advantages. The attention of the Commissioners might be directed to the route preferred by the inhabitants of the north-eastern side of the river.

taking off at Flushman's, two miles from the top of Sewell mountain, passing by the foot of the Gauley mountain, and falling on the Kanawha at Montgomery's ferry, and a comparative estimate made of the two routes.

1814.
Dec. 16,
Culpeper

I beg you to pardon the freedom I have used in troubling you with this letter, and to add the assurance of the sincere respect and esteem with which

I am, &c.

WILLIAM LAMBERT TO THE GOVERNOR.

On Saturday last a number of American armed vessels, supposed to have come from Baltimore, were seen in the Cheasapeake bay near the mouth of the Rappahannock river, which it is said returned up the bay on Sunday.

Dec. 24,
Lancaster
County

There is no reason to believe that any of the Enemy's ships are above Stingray point.

The post master at Kilmarnock, not thinking himself authorized by law to send communications from this agency to your Excellency free of postage, payment will be made at his office of *this* and all future letters to be charged to the General Post Office of the United States.

I am, &c.

JOHN GAILLARD (PRES'T PRO TEM. SENATE OF U. S.) TO THE GOVERNOR.

I am directed by the Senate to notify you of the death of the honorable Richard Brent, late a Senator of the United States from the State of Virginia.

Dec. 30,
Washington
D. C.

I am, &c.

JAMES SMITH TO THE GOVERNOR.

On the 6th of April last I was appointed by the Governor and Council to furnish the genuine Vaccine matter to the citizens of Virginia, in conformity to the act of the Legislature authorizing its free distribution among them. The time for which I received the appointment having now expired, I beg leave to state to your Excellency that I have fully complied with my engagements, and that I flatter myself that much good has resulted therefrom, not only to the citizens of Virginia, but also to

1815.
Jan. 2,
Baltimore

1815.
Jan. 2,
Baltimore

the community in general. I shall continue to supply all applicants for this matter until I hear from you, and in the meantime shall hold myself in readiness to renew my engagements, should my past exertions meet with your approbation. By the plans we have adopted, I doubt not but that we shall always be able effectually to secure the whole population of your extensive Commonwealth from suffering any serious injury in future from Small Pox.

It would seem to me that the Citizens of Virginia have been well informed of their right to a free access to this Institution, but if it should be thought in any manner advisable, another advertisement shall be published similar to the last, which was required by the Act of Assembly.

If necessary or required, my Bond, with security for the faithful execution of the same duties I have been performing, will be renewed as soon as I am informed of your pleasure to continue my appointment.

I am, &c.

January

IN SENATE, *January 2, 1815.*

The House proceeded pursuant to the Resolution this day agreed to, by joint ballot with the House of Delegates, to the choice of a Senator in the Congress of the United States to fill the vacancy occasioned by the death of Richard Brent, Esq'r.

After the formalities usual on these occasions, the Committees of both Houses met in the Conference Chambers, and, having examined the ballots, found a majority of votes in favor of James Barbour, Esq'r, who was thereupon declared duly elected a Senator in Congress, to supply the vacancy occasioned by the death of Richard Brent, Esq.

JAS. MONROE (SECT'Y) TO THE GOVERNOR.

Jan. 4,
War Depart-
ment

I have had the honor to receive two letters from you, of the 22nd and 29th ult. respecting the force necessary to be kept in service for the defence of Richmond, of the Northern Neck and of other parts of Virginia, and other subjects connected with the defence of the State.

I should have answered both letters immediately, if the subject of defence generally had not been under the consideration of Congress: pending which, I could not treat on that subject with any advantage to the public, or satisfaction to you. A regular force is undoubtedly the best adapted to the defence of our Sea-board. It is the most efficient and economical, and likewise the least burthensome in other respects to the people. Equally true is it, that according to the principles of our Constitution, this force ought to be raised and supported by the General

overnment. Until Congress shall have disposed of this subject, it is impossible for the Executive to adopt any system which will not be liable to change.

1815.
Jan. 4,
War Department

A sanguine hope is entertained that if our finances are placed on such basis as to inspire confidence among our citizens, in particular the Unioned part, it will be practicable under the present encouragements to the recruiting service, to augment our armies to such a degree as to supply the deficiency which the public exigencies may require by other means, without making a great pressure on the Militia.

The means adverted to are local corps to be raised by the United States for different terms of service, and an authority to accept and take into the service of the United States, corps which may be raised by the States individually, and likewise to employ volunteer corps to serve when they may be required.

A bill for these purposes is before Congress, and will, it is hoped, be adopted. The opinion seems to be of extensive impression that every practicable facility, and in every way ought to be given to the augmentation of the Army by voluntary enlistment.

Whatever may be the measures decided on by Congress, the most effectual arrangements will be immediately taken for carrying them into effect, of which you shall be apprized.

The difficulty experienced by the Executive of Virginia adverted to in your last letter, has been most sensibly felt by this department. It would be highly gratifying to the President to suffer the Militia to repair to their homes, but can it be done with safety while the Enemy have in the bay two or three thousand men, and other troops at Halifax besides, whose supposed to be destined against New Orleans, but which may be directed against any other part of our sea board?

Attention is particularly due to Norfolk and Richmond, as they offer the greatest temptation to the Enemy, on every principle on which the war is conducted. Taking the season of the year, and all other circumstances into consideration, I am inclined to think that it will be proper to keep the force at Norfolk at its present standard, and that General Porterfield's brigade will be sufficient for the protection of Richmond and the adjoining country, and will not be without effect lower down towards some of the other exposed parts to which you allude. Col. Hamilton's Corps, stationed at present at Fredericksburg, will, it is hoped, afford some protection to a part of the Northern neck, and as the Spring opens, and our means are enlarged, other measures must be taken for the protection of the lower end. In the meantime you are hereby authorized to detail a force not exceeding 500 men, of which 250 may be mounted for the defence of Gloucester and Williamsburg.

It is deeply to be regretted that against an enemy who violates every principle of humanity and civilized warfare, it is not in the power of

1815.
Jan. 4.
War Department

the Government to extend protection to every part which is exposed to his incursions.

It is much to be desired that those of the militia who may be discharged should be previously paid, and that they should be supplied with provisions on their return home, especially the sick. All proper attention will be paid to these most important objects, but here new difficulties occur of a nature not unknown to you. The resources of the country are abundant, the virtue and patriotism of our fellow-citizens unequalled; but until a system of finance, inspiring general confidence, is adopted, the want of money will be experienced. From the banks of most of the States much aid has been derived in this trying emergency. If the banks of Virginia, who have been friendly, will assist us with funds, we shall be happy to take advantage of, and apply them to the payment of the Troops employed in the defence of the State. I would thank you to have the goodness to communicate with them on the subject and inform me of the result. Legal Interest will be paid, and Treasury notes deposited, as in other cases, as a security for reimbursement.

The terms of the militia at Norfolk and General Porterfield's Brigade, are nearly expiring; their places must be supplied. A portion of the force for the former may be expected from North Carolina; but for those whose terms may first expire, it may be best that Virginia should furnish the detail. For the relief of the latter, she must be relied on.

On these, and on every other topic connected with the defence of our common country, I shall be happy to communicate and co-operate with you.

I am, &c.

WM. WIRT TO THE GOVERNOR.

Jan. 4,
Washington

I regret the necessity which takes Mr. Chew from me to-day. The Accountant of the War Department having called for a separation of those vouchers which related to the pay of our troops for the purpose of being acted on in the first instance in the Pay master's department, that separation has been made, and we are now ready to commence the liquidation of that branch of our Accounts, so far as the vouchers in our possession go; that is down to May, 1815. I stated to you in a former letter, that the Secretary of War had admitted the propriety of our charges for the service of the local Militia to repel the actual invasion. On yesterday he went a step further and admitted the propriety of the charge for the 2,000 men called out by our General Orders of the 6th of February, 1813, transferred to the U. S. on the 4th of March following, and sanctioned by Gen'l Armstrong's letter of the 22nd of the same

month, both as to their original call and transfers. I touched him on the main subject—our great call in 1814, on the notification from the Acting Secretary of War, that the British were descending the rivers from this place and Benedict, and his general requisition on the Governor of Virginia to be prepared to meet the Enemy at all points.

1815.
Jan. 4,
Washington

On this subject, he preferred that I should submit the proposition in writing with the view of enabling him to consult the President on it, which I shall do forthwith.

Every motive of personal and professional convenience would urge my return with Mr. Chew on to-day, but having now gotten the business under way, he concurs with me in thinking that I had better remain to drive it forward, and clear as far as it can be done by discussion, the points of difference between Virginia and the U. S.

I refer you to Mr. Chew, who will hand you this for a more detailed exposition.

I am, &c.

JOSEPH WHEATON (DEP. QUARTER MASTER GEN'L.) TO THE GOVERNOR.

I have the honor to receive two of your Gen'l Orders—one of the 12th and the other of the 13th inst., by Dep. Adj't-Gen'l C. W. Gooch, Esq'r, calling into the service of the United States detachments of the 10th, 7th, 18th, 19th, 12th, 13th, 16th, and 20th Brigades to rendezvous at this place, and detachments from the 10th, 17th, 18th, and 19th Brigades to be transported to Norfolk, computed in the whole to be about five thousand men, the whole of whom are to be provisioned and transported by this Depart. In order to enable me to comply with your orders, and to fulfill the expectations of the General Government, I am compelled to state that I am totally destitute of funds, and cannot perform this duty without the aid of the Executive of this State. I have, therefore, to request of your Excellency the loan of 15,000 dollars to enable me to employ the necessary transportation, and provide the quantity of provisions which may be necessary to the number of men called for from the various places of rendezvous, which shall be specially appropriated to the service required by your Excellency.

Jan. 12,
Richmond

I am, &c.

JAS. MONROE (SCTY.) TO THE GOVERNOR.

Accounts from good sources of the Enemy's force at the Tangiers make it very inconsiderable. It is represented that a large detachment sailed after the notable exploit on Rappahannock from the bay, perhaps

Jan. 14,
War Department

1815.
Jan. 14,
War Department

for New Orleans. I send you a copy of one of the notes which have been communicated to me on the subject. It will be considered confidential as to the author.

Under these circumstances I am inclined to think that General Porterfield's Brigade may now be dismissed, and that the march of the other troops to relieve them had better be suspended, keeping those designated under marching orders at early notice. All the militia at Baltimore and Philadelphia have been dismissed.

I will write you again by next mail, when I hope to be able to communicate an arrangement for the payment of the troops.

I am, &c.

S. H. GERARDIN TO THE GOVERNOR.

Jan. 28,
Glenmore

I have for some time been engaged in compiling a continuance of Burk's History of Virginia, which I have indeed nearly completed. Some parts of the narrative are to me rather unsatisfactory, and I am led to believe that the deficiency might be supplied by a recurrence to the archives of State.

I am so fully convinced, Sir, of your kindness and liberality that I confidently request for Mr. John McCreery the liberty of consulting those archives so far as may be consistent with established rules.

The documents wanted, chiefly relate to the revolutionary period, and altho' in the invasion of the State by Arnold many papers of value were destroyed, it is presumable that abundant materials bearing on P. Henry's administration are still to be found.

I am not acquainted with the Gentleman under whose immediate care the archives of Virginia are placed, Sir; I would not presume to encroach by the present application on your valuable moments. A word or a line from you to that Person, whoever he may be, will no doubt open to Mr. McCreery the sources from which we want to draw; and for an object like this, I am sure that even in the midst of your multiplied and arduous occupations, you will be ready to lend your aid with the same obliging condescension, of which I have received proofs recollected with warm gratitude.

I am, &c.

RICHARD CRUMP (L'T OF VIDETTES) TO THE GOVERNOR.

Jan. 29,
Hampton

This morning nine of the Enemy's barges made their appearance in Hampton Roads. Captain Henry Howard dispatched a piece of his Artillery and the Rifle Company under Capt. Otey to Newport News.

Smith, of the Artillery, has just returned, and reports that the went above Craney Island from four to five miles, where they sloop on shore nearly opposite Newport News, which they took d carried down. Captain Robert Lively, who was landed this ing from the Flag that went down yesterday, reports that early orning the Enemy captured three small vessels near Old Point ny and one off Craney Island, which one they burnt. Three were fired on by our Artillery, and ordered back up James or they probably would have fallen into the hands of the Enemy. force at the Capes is three frigates, the Eyralus, the Menalaus, e Havanna.

1815.
Jan. 29,
Hampton

I am, &c.

JAMES MONROE (SECT'Y) TO THE GOVERNOR.

ve the honor to transmit to your Excellency a copy of an Act passed Congress on the 27th ultimo, authorizing the President to into the service of the U. States any corps which have been or e raised, organized and officered by the States individually, whose f service shall not be less than twelve months when received, and all be subject to the rules and articles of war, and be employed in ite raising the same and not elsewhere, without the consent of the tive of such State. It is further provided that those corps shall isidered a part of the quota of the Militia of the States raising who shall have credit for the same in any call which the President ereafter make on the Militia of such States.

Feb. 1,
Department
of War

whole of this force must not exceed forty thousand men. The which the President is authorized to receive from the State of Vir- our Excellency will observe amounts to five Thousand and fifty-

President is also authorized by this act to receive into the service United States a like number of Volunteers, to be organized in con- y to the laws respecting the Military establishment of the United

corps to be raised by the States individually being intended more dly for their defence, it is important that it should be known as s possible by which State the measure will be adopted. Other res must depend on the success of this, and the advanced season year requires that not a moment of delay which can be avoided, take place in providing an adequate force for all the purposes of xt campaign.

I am, &c.

JAMES MONROE (SECT'Y) TO THE GOVERNOR.

1815.
Feb. 4,
War Depart-
ment

I had the honor to transmit to you by yesterday's mail a copy of an Act of Congress authorizing the President to accept the service of State corps, and of volunteers to the number of 40,000 of each species of force, with a provision that the volunteers might be augmented to any amount to supply the deficiency of State Troops should such a deficiency occur. In my letter, which was a circular to the Executives of all the States, I expressed a wish that I might be informed, without delay, whether your State would raise the State troops, as other measures of the General Government might be dependent on it, and be delayed until that fact could be ascertained. The particular circumstance, however, of your State having already passed an act for raising nearly double the force allotted to it, by this law, on condition that it be received into the service and pay of the United States, makes it proper and necessary, with a view to the public welfare, that I should communicate to you freely the sentiments of this Government on that subject.

You will readily perceive that by a strict construction of this act, the President can accept under it the precise number only that are authorized by it. It remains to be examined whether under other acts of Congress he may not be considered as having full power to accept the whole force contemplated by the law of your State, and in case he possesses the power whether the public interest may not be essentially advanced by his accepting it.

The President is authorized by law to call forth the militia of all the States for the defence of the Country and enable him to prosecute the war with effect. The number of Militia called into service from each State has been apportioned among the States to equalize the service so far as it may be possible among the people of the United States. It was not intended by such apportionment to prevent a greater demand on any State than the quota assigned to it, or even a call of the whole force of a State *en masse* should the pressure in that quarter make it necessary. A much greater force in Militia has already been called for from some of the States than their quotas amounted to, and great patriotism displayed in a compliance with the call. In many instances volunteers have been accepted instead of Militia with vast accommodation to our fellow citizens and advantage to the public.

Neither on principle or with a view to economy is it necessary or advisable to reject other troops with a view to obtain the service from the Militia alone. It is, on the contrary, eminently important to the public interest to obtain the service within the proper limit, from that species of force in each state (the national regular force being inadequate), which can and will perform it with the greatest promptitude, willingness, and effect, and with the least expence. There is no doubt

that this service can be best rendered in all these respects by a regular force. That there will be required for the defence of Norfolk, Richmond, and other exposed posts of the State in aid of the regular Troops of the General Government, a much greater force than that contemplated to be raised by the State, I have no doubt. Satisfied am I that it will be the interest of the United States to accept as a substitute for the militia of that state the whole force which it is proposed to raise by a law of your State. The acceptance of the whole of this force is therefore strictly within the policy of the laws relative to the Militia. It is further sanctioned by this act by authorizing the acceptance of a certain portion of this species of force in lieu of the Militia from all the States. It is evidently the spirit of this provision, that the President should accept as a substitute to the militia from the States pressed, any portion of this force, of which a like number of the Militia had been called for or should be deemed necessary.

1815.
Feb. 4,
War Department

As, however, by a strict construction of the several laws relating to this subject, the powers of the President may not be considered as extending so far, I have to assure you that it will be proposed to Congress to pass a supplemental act to that effect. In cases where any of the States which are in a particular manner exposed to invasions by the enemy, for whose defence the regular force of the United States may be inadequate, are willing to raise a force to be substituted to the militia to serve for the war or any longer term than the militia may be called on to serve, it may be of essential advantage to the United States, as well as to the State, that the President should have power to accept such force to the extent of the call on the militia. Should such a law be passed, or the force raised by your State be placed on the footing of militia by being considered the elite or a chosen detachment, or a part of it, so as that the President may be authorized to accept it as a part of the militia, your Excellency may be assured that he will accept it, should the same object be not otherwise attainable to the satisfaction of your State in the following mode:

By this act the President is also authorized to receive into the service of the United States 40,000 volunteers. Under this provision I am persuaded that he may accept any portion of this force on the conditions of the act granting to the officers, volunteers' commissions. That very important service would be rendered to the public by raising such a force by the State and transferring it to the United States on the conditions of that law, I have no doubt. Being raised for the service of the United States, the acceptance of it by the President would meet the expectation and gratify the wishes of all parties.

I have, therefore, to state to your Excellency that the President will accept the extra portion of force contemplated to be raised by Virginia under that part of the act relating to volunteers, on the conditions of the

1815.
Feb. 4,
War Depart-
ment

said act. Should this mode be adopted, the necessary commissions for the officers of the corps to the requisite amount shall be forwarded to you when required, without delay.

I am, &c.

WM. B. GILES AND JAS. BARBOUR TO THE GOVERNOR.

Feb. 7,
Washington

We have the honor to acknowledge the receipt of your letter (with its enclosures) of the 27th ultimo. We avail ourselves of the opportunity which this acknowledgement presents, of advising you that we applied to Col. Monroe for the purpose of learning the sentiments of the Government in relation to the proposed discount. We were advised that the question in principle had been already settled on an application to the same effect from the State of Ohio. That no discount of the kind proposed was admissible, but that every disposition existed on the part of the Government of the U. States to adjust our claims on a liberal scale, and that the first leisure moment he could procure, would be devoted to that object.

Relatively to Fort Powhatan, the Secretary of War expressed an entire co-incidence of opinion with the Executive of Virginia as to the necessity of its being placed in a more respectable posture of defence, and that he would immediately take such steps as by them should be esteemed proper.

Col. Monroe was to have written you on these subjects some days past, but the continual pressure of objects of a more general concern, has prevented him; it has been deemed advisable by us to possess you without further delay of the views of the Government on these interesting subjects.

We are, &c.

MOSES GREEN (Adj't GEN'L) TO THE GOVERNOR.

Feb. 14,
Richmond

The act of the last Legislature, requiring the Adj't General to reside in the City of Richmond, makes it too inconvenient for me to attend to the duties of the Office.

I therefore resign the Commission; it would be enclosed herewith if I had it with me.

I am, &c.

RICHARD D. BAYLY TO THE GOVERNOR.

Perhaps it has become my duty as Clerk of the Superior Court of Law of Accomack, to announce to your Excellency that the Honorable Thomas Evans, one of the Judges of the General Court and Judge of the Superior Court of Law for the fourteenth Circuit, departed this life on Sunday the 12th Inst.

1815.
Feb. 15,
Accomack

By his death Virginia has lost an able and virtuous Judge, and a highly, respectable and patriotic citizen. His virtues both in public and private life will endear his memory to the people of Accomack and Northampton.

I am, &c.

WM. B. GILES AND JAS. BARBOUR (SENATORS) TO THE GOVERNOR.

We have deemed it our duty to request the detention of the Mail for one hour to enable us to give you information thereby on this day of the following important occurrences:

Feb. 15,
Washington

The President of the United States this morning caused a Treaty of Peace signed by the whole of the American and British commissioners, to be laid before the Senate for its approbation. It has been this moment read the first time, and altho' its contents are not precisely such as we could wish in all their parts, yet they present no objections to our minds which induce us to believe that any doubt exists as to its final ratification.

Knowing the efforts now making in Virginia to provide means for the vigorous prosecution of the war, we thought not a moment ought to be lost in making this communication to you for your government.

Be pleased to accept, Sir, the assurances of our high consideration and personal regards.

We are, &c.

SEVERN E. PARKER TO JOHN CAMPBELL, ESQ'R.

I take the liberty of communicating to you, and thro' you to the Governor and Council, the death of the Hon'ble Thomas Evans, Judge of the Superior Court of Law for this Circuit.

Feb. 19,
Northampton

The Governor and Council having the power to supply the vacancy by this event, permit me to recommend to them thro' you, Col. I. Pitt, as a proper person to be appointed. The qualifications of this Gentleman are undeniable. He possesses pure integrity, a sound and discriminating mind, abundant fund of legal knowledge, and an excellent mildness of temper. He may be said to be a Gentleman of Independent fortune.

1815.
Feb. 19,
Northamp-
ton

I have no doubt that the appointment of Col. Pitt would give universal satisfaction here. I have consulted a number of Gentlemen, and they all concur in a recommendation of him. He is very much esteemed here, and has a most extensive practice. He is unquestionably much the best Lawyer at the Bar.

I trust that the circumstances of my being a citizen of this Shore and a member of the Bar will be a sufficient apology, if one be necessary, for the recommendation which I have taken the liberty to make.

I am, &c.

GRIFFIN TAYLOR TO THE GOVERNOR.

Feb. 24,
Richmond

The Troop under my command at Camp Holly, is now in this place on their return home—many of them without a cent of money to travel on. They are at least 170 miles from home. I feel much for their situation, and could the Executive of this State devise some plan for their relief it would be extremely gratifying.

I am, &c.

JOHN STAPLES TO THE GOVERNOR.

March 20,
Manufactory
of Arms

I am desirous of receiving as early as possible, the instructions of the Executive as to the number and description of arms, which it may be advisable to have made at this manufactory within the present year, in order that my arrangements may be made accordingly.

The Foundry and Boring Mill particularly is at this time a dead expense to the State, and unless cannon are wanted either for the Commonwealth or for the United States, I would suggest the propriety of shutting them up and dismissing the hands employed in them, for there is no prospect of getting private work sufficient to defray expenses.

There are upon hand at this place several thousand muskets, both of domestic and foreign manufacture, which are of very inferior quality, and will never, in my opinion, be useful to the Commonwealth; and it is a continual expense to keep them in anything like order. Would it not be advisable to have them sold; they would probably bring something, and I have no doubt that commercial enterprize would find a profitable market for them in South America, or elsewhere.

I am, &c.

GEO. PARKER TO THE GOVERNOR.

Accepting the commission of Judge pro tem. of the Fourteenth circuit in lieu of Judge Thos. Evans, dec'd.

1815.
April 9,
Northampton

A. J. DALLAS TO THE GOVERNOR.

I have the honor to acknowledge the receipt of your letter of the 10th instant.

April 15,
Department
of War

The enclosed extract of an answer received from Col. Freeman to orders issued at this Department will shew that immediate attention was paid to your communication relative to Fort Powhatan, and further orders will be given on the subject.

As positive instructions were given for the reimbursement of the money which you were so good as to advance to Quarter Master Wheaton, and as funds for that purpose remained in his hands after the expiration of the further time which you had allowed, I am surprised to receive a complaint on the occasion ; but immediate orders will be given both to Mr. Wheaton and Mr. Swan to set the business right.

I am, &c.

WILLIAM CHAMBERLAYNE (B. G.) TO THE GOVERNOR.

Sending his resignation as Brigadier-General of the Militia of Virginia, believing the war near its close and feeling the infirmities of age.

April 28,
New Kent

WM. HOLT TO THE ADJUTANT GENERAL.

The painful duty devolves on me of returning to you the commission issued by His Excellency the Governor for the late Major Wm. Nimmo as Lt. Col. com'd't of the 20th Reg't, who is no more ; he did not live to receive it.

May 1,
Princess
Anne

I also forward the commissions of Capts. Sam'l Cornick and Woodhouse, Resigned.

I am, &c.

JOHN CHEW TO THE GOVERNOR.

I have the honor to inform you that since my arrival here I have been employed in arranging the vouchers brought on in support of the claim

August 30,
Washington
D. C.

1815.
August 30,
Washington
D. C.

of the State of Virginia vs. the U. States, and in amending the account curr't so as to shew at the first view, the object for which the advances were made.

It appears from a memo. handed to me by the accountant, a copy of which is hereto annexed, and from frequent conversations with the officers in the Department of War, that they are still under the impression that it is their province only to decide how far the law authorized a payment, not what is equitable or what the Acts of Congress ought to have been, and that the rules observed by them in settling with individuals must be applied to settlements with a State.

Under such regulations it is not possible at this time to effect a just settlement, and it being impracticable to obtain a credit at the Treasury of the U. S. for our quota of the direct Tax for the current year, or for the State to receive any part of its claims until a further appropriation by Congress for the payment of Military expenditures, I deem it unnecessary and imprudent to press a final adjustment of that part of the account exhibited by me. In a few days I shall return for the vouchers remaining at Richmond, and for such further evidence * as can be procured under Executive authority.

I am, &c.

* The vouchers formerly forwarded in support of the account to Oct. 1812, were destroyed by the Enemy at the capture of this city.

Memo. That part of the claim of the State of Virginia which relates to the Pay, Sub., and Forage of the Militia should be separated, and the account and vouchers presented to the paymaster of the Army.

The articles purchased should be stated in an abstract according to form marked * A.

The paymaster in the Quarter Master's Department or expenditures, should be stated in an abstract according to form herewith marked * B.

The authority under which the Troops were called into service or subsequently recognized by the General Government should in all cases be produced, and that part of the claims of the State not so sanctioned, should be stated separately, because they cannot be allowed without the sanction of Congress.

* Papers not found.—Ed.

II. S. G. TUCKER TO THE GOVERNOR.

Nov. 10,
Winchester

I have the honor to enclose you the recommendation of the County Court of Frederick, made at their session this month, of a Lieut.-Colonel to fill the vacancy occasioned by the resignation of Col. Henry Beaty, of the 31st Reg't.

The recommendation was made without my being aware that such a measure was contemplated by the Court, but as I am no less pleased than flattered by the nomination, I shall certainly accept the commission if it should fall in with the views of the Executive to confirm the recommendation of the County Court.

1815.
Nov. 10,
Winchester

Having lost our Brigadier, and our Major-General being under the heaviest affliction for the loss of his daughter, Mrs. Davidson, I have supposed it not indelicate to forward the enclosed myself, particularly as it is desirable that a Commandant should be immediately appointed. I have supposed it probable that it might reach you, and be acted on before the return of the Judges of the General Court, who will afford a convenient opportunity for transmitting the Executive Desire.

I am, &c.

November Court, 1815.

Frederick County—Sct. :

Ordered that Henry St. George Tucker be recommended to the Executive as a proper person to be appointed Lieutenant-Colonel of the 31st Reg't of militia in the room of Henry Beaty resigned.

Thomas Creamy as Major in the 51st Reg't in the room of John Gilkinson promoted.

A Copy—Teste :

JAS. KEITH, C. F. C.

The remonstrance of the officers of the 31st Regiment against the recommendation by the County Court of Frederick County of Henry St. George Tucker, Captain of Cavalry, to be Lieut. Col. of the 31st Regiment: this recommendation being considered a great injustice to the claims of Major Sexton of that Regiment, who by seniority and by long and faithful services, is considered to be entitled to the commission above all others, is filed.

WM. B. GILES TO THE GOVERNOR.

A period has at length arrived when our beloved country, after successfully passing through the trials of a just and honorable war against a powerful nation, is enjoying all the blessings of peace with the fairest prospects, under the guidance of wise counsels, and the divine protection, of their long continuance.

Nov. 23,
Richmond

This fortunate and happy condition of the country, affords me a favorable opportunity of indulging myself in a desire I have long felt of retiring altogether to scenes of domestic life. This consideration, how-

1815.
Nov. 23,
Richmond

ever, would not of itself furnish a sufficient motive to induce me to carry this purpose into effect during the present senatorial term, but another circumstance has taken place, which I conceive ought to have its influence upon my determination in this respect.

In consequence of an absence from home for a portion of each year during a period of nearly five and twenty years, in which I have been engaged in serving the people in the representative character, my private concerns have become materially deranged, and in my judgment a strong obligation is therefore imposed upon me to give my personal attention to their re-establishment.

These considerations united, have determined me to withdraw from the publick service at this time.

For these reasons, I do hereby resign my office of Senator in the Senate of the United States.

I take great pleasure in availing myself of this occasion to renew to your Excellency assurances of my high consideration and sincere personal regards.

I am, &c.

WM. H. ROANE TO THE GOVERNOR.

Nov. 25,
Richmond

I beg leave to state to you, for the information of the General Assembly, that the vacancy in the Council of State, to which I was elected at their last Session to supply, still exists.

Prior to the time when I should have commenced my duties under that Election, the suffrages of the people of the District in which I reside were bestowed on me, as their representative in the Congress of the United States.

A just respect for their wishes; a hope that I might be as useful in the latter character as in the former; and, above all, a belief founded on the experience of the last winter that my health would be hazarded by a residence in the City of Richmond, determined me to decline the seat in the Council of State.

It is impossible that any injury can arise to the public interest from this declension, and to beg the favor of you to announce it to the General Assembly, with sentiments of profound gratitude for the trust they were pleased to repose in me.

I am, &c.

Henrico County—to-wit:

This day John Tyler came before me, a justice of the peace for said County, and took the oath prescribed by law to be taken by a mem-

ber of the privy council of State, as also the oaths of citizenship; the oath prescribed by an act entitled an act to suppress duelling, and the oath to support the constitution of the U. States.

1815.

Given under my hand this 9th day of December, 1815.

WM. B. CHAMBERLAYNE.

JOHN CHEW AND WM. WIRT TO THE GOVERNOR.

We waited on the Secretary of War this forenoon and presented your letter of Introduction. He sent forthwith for the accountant and requested that he would devote his attention as exclusively as possible to our business. A clerk will be assigned in the accountant's office on tomorrow to commence with us the examination of the accounts of Virginia; and from the liberality of spirit manifested by the Secretary, we have formed the most favorable hopes of a speedy and just termination of our claims.

Dec. 27,
Washington

The Secretary suggested that there were some items in the accounts of the State which might require the interposition of Congress—such as calls of the militia of the State without the sanction of the President, but a general statement of the contents of Col. Monroe's letters referring the *quantum* of call to the discretion of the Executive of the State, was admitted by him to reduce this question to one of mere discretion, with which the call was in every instance made; a point which, we think, we shall have very little difficulty in making clear. The Secretary conceded in conversation the justice of every charge resulting from the service of the local militia for the purpose of repelling invasions, which you will remember constitutes an important branch of our claims.

On the subject of an advance on account of our claims, the Secretary said there could be no doubt; this being one of the propositions of your letter to him, he asked us what advance we should require. According to our instructions, we named the highest sum—600,000 dollars—and the accounts are to be forthwith canvassed with the view to ascertain whether the amount of undisputed items will justify such an advance, of which, on Mr. Chew's knowledge of the subject, we entertain no doubt.

We have thought it proper to state these particulars, that you may see the grounds on which we rest our hopes of a favorable adjustment of our claims. This, however, is the result of a single conversation, and it is possible that when we come to a scrutiny of items, our present hopes may be abated.

We are, &c.

IN THE HOUSE OF DELEGATES, *Jan'y 3rd, 1816.*

1816. On this day, by joint ballot of the Senate and House of Delegates of the Commonwealth of Virginia, Henry St. George Tucker, Esq'r, was duly elected a Brigadier General of the Militia of the said Commonwealth for the Sixteenth Brigade, to supply the vacancy occasioned by the death of General James Singleton.

WM. MUNFORD, C. H. D.

WM. WIRT TO THE GOVERNOR.

Jan. 6,
Washington
D. C.

I had an interview with the Secretary at War on yesterday, which satisfies me that nothing is wanting to an advance of the sum which we have required (\$600,000), but the sequel of our accounts from the 15th of May last. He stated to me explicitly that this advance should be made without waiting the discussion of *any of the items*—all that he asks, being but an exhibition of the amount of our claim by the accounts, and the lodgment of the accounts and vouchers in the Offices to which they belong. The Legislature of Virginia, in their financial estimate, may therefore rely upon this advance with all the certainty which can arise from the deliberate engagement of the Secretary at War, and I have no doubt that you will receive it as soon as the remaining accounts and vouchers shall be forwarded to us, which I hope will be as soon as possible.

I am endeavoring to press forward the settlement of our accounts with the view of having it in my power to see and obviate, as far as I can, the objections which may be raised in the department of war to our claims. If I can prevail upon the Accounting Officers to enter upon our claims, I am persuaded that the points of collision will develop themselves in a few days, and that we shall be able to see distinctly, and in a short time, how much we can settle without recurrence to Congress; a course very much deprecated, I find, by our Senators and Representatives, so far as I have had it in my power to confer with them, and which therefore it will be our policy to avoid as far as possible.

In having the discretion of the calls of Militia made by the Executive of Virginia under the general letters of the Secretary of War "to be prepared at all points to meet and repel the Enemy," I am without information as to the *numbers* called out and kept in the field. The vouchers which I found in Mr. Chew's possession on this subject on my arrival, being only the general orders which called the troops by brigades, regiments, and companies, without giving the numbers. The Secretary at War has suggested the propriety of my showing that these calls were

not disproportioned to the emergency which it is impossible to do without my being in possession of the numbers. The Adjutant General's Office furnishes, I presume, the information I want, and which I beg leave to request may be forwarded to me without delay.

1816.
Jan. 6,
Washington
D. C.

You will have a conference with Mr. Chew as to the kind of payment which will be most acceptable to the State, and I hope for his speedy return since it will be essential for him to accompany the accounting officers through the details of the settlement, while I shall be engaged in discussing the points of difference as they may arise.

I am, &c.

WM. WIRT TO THE GOVERNOR.

You will receive immediately \$200,000 on our pay-rolls only, now in the hands of the paymaster here.

Jan. 16,
Washington
D. C.

On consultation with some of our friends here, I have thought it best to take this sum whilst it could be had, the appropriation under the paymaster's contract being in a state of rapid dissolution by calls from other quarters. This sum is advanced explicitly and exclusively on our pay rolls which amount to \$225,000; and it is also received with a clear understanding that it is to form no plea against our further promised advance of \$400,000, when our account and documents come on, showing our whole claim.

I am, &c.

WM. WIRT TO THE GOVERNOR.

In reporting the Execution of the Commission entrusted to Mr. Chew and myself by the Executive of Virginia, relatively to the settlement of the claims of this Commonwealth against the United States, I have the pleasure to state in the first place, that we have procured on account of those claims an advance of \$600,000. We endeavoured to procure this advance in notes of the Banks of Virginia, but the Secretary of the Treasury at the time of our obtaining the first Warrant (of \$200,000) had no funds in our Banks on which he could draw; that warrant was therefore paid in Treasury notes, one-half of which, however, we have reason to expect, when I came away, that Mr. Chew would be able to commute with the paymaster for Virginia Bank Notes. I mean, of course, the notes of our chartered Banks, and he was endeavouring to effect among the banking establishments of Washington and Georgetown a further commutation of a portion, at least, of the residue of that

Jan. 30,
Richmond

1816.
Jan. 30,
Richmond

Warrant. In relation to the balance of the advance (\$400,000) the Secretary of War directed Mr. Chew, in my presence, to call for the warrant on the day following (Friday, the 26th inst.), which was the day of my departure from Washington, and for the payment of this sum the Secretary of the Treasury is endeavouring to make arrangements with the Banks here, on which I have some reason to hope that he will succeed. Should he fail, however, the warrant will be still paid in Treasury Notes of the United States, and Mr. Chew may be expected on with the whole sum as soon as those notes can be filled up, which is a work of some time from the limitation of the sum for each note.

With regard to the settlement of our accounts, we found on the part of the secretary of war every disposition to promote that object. On delivering your letter of introduction on the morning after my arrival in Washington, he sent for the accounting officer of that department and instructed him in our presence to devote himself as exclusively as possible, consistently with the other duties of his office, to the settlement of the claims of Virginia. But from not having understood the method in which accounts are settled in various offices belonging to the department of war, it had happened that our accounts and vouchers had blended together subjects which were to be acted upon in separate offices; thus the account for the pay and subsistence of our Troops belonged in the first instance to the office of the pay-master, that for contingent expenses to the office of the accountant; and the former account, we were told, must first be settled, because the pay and subsistence would at once establish the legitimacy of our calls and the number of our troops, and the contingent expenses would follow of course. This rendered a separation of our accounts and vouchers indispensable, and by the activity of Mr. Chew the separation was effected in a few days: but when we came to the paymaster's department we found him so overwhelmed with previous business that it was impossible for him either to take up our accounts or to name a day on which he could do so. This was the more regretted by me because I was aware that a principal motive for my being added to the commission was to assist Mr. Chew in the discussion of any objections which might be raised to our accounts, and it was impossible to foresee all the objections which would be raised until the accounts should be actually entered upon. Since, however, the opportunity was thus deprived me of answering in full the purpose of my appointment, all that remained for us was to bring before the Secretary of War certain known objections of a general character, which, if settled in our favor, would leave little remaining but for the skill of the accountant. Accordingly we submitted and received a favorable decision on the following points:

First. That the services of our local Militia in rising to repel actual invasion, though not authorized by any previous call, either of the

sident of the United States or of the State Executive, constituted, nevertheless, a fair charge against the United States. This settles in favor a very heavy item in our accounts.

1816.
Jan. 30,
Richmond

Second. That the service of 2,000 men, called out in February, 1813, without the previous requisition of the President of the United States, and transferred about six weeks afterwards to the service of the United States, formed a fair charge in favor of Virginia from the time of their first call.

Third. That our great call of troops in August, 1814, for the defence of Richmond, after the fall of Washington, tho' not preceded by the authority of the President, should also be allowed as a fair charge, if the number kept in the field for that purpose did not exceed 2,000 men, and that it did not exceed, nor, indeed, even amount to that number, I had the authority of the General Orders furnished to me by the Executive, and the clear collection of Colo. Barbour, then the Governor of the State, to affirm.

I was glad also to find, on the return of Mr. Chew from Richmond, that he corroborated the ground which I had taken in his absence. The decision upon this subject was not communicated to me until the morning before my departure from Washington, so that I had merely time for a verbal conference with the Secretary of War on two other points, which I had wished for an opportunity of submitting to his more deliberate consideration. These were:

First. A charge for Arms furnished to the 1,500 men called out under Gen'l Leftwich, to join the Northwestern Army in 1812, and

Second. A charge for interest on the sums borrowed by the State of Virginia for her necessary defence.

On both these subjects the Secretary, with a frankness, decision and honor, which mark his character in an eminent degree, declared his conviction that they constituted fair and just charges against the nation. His only doubt was whether the allowance of them belonged to his department; he would examine this point, and if he could satisfy himself of the power, the allowance should be made.

Thus ended my agency. And if more was not done, I trust that the Executive will see that it proceeded from the extremely incumbered state of the Accounting Offices of the War Department, and not from any want of zeal or diligence on the part of their Commissioners.

I am, &c.

JOHN CHEW TO THE GOVERNOR.

The magnitude of the transactions in which I am engaged, must naturally cause some anxiety on the part of the Commonwealth of Va. I deem it therefore my duty to advise your Excellency that a Warrant

Jan. 31,
City of
Washington

1816.
Jan. 31,
City of
Washington

on account of the State for \$400,000, was yesterday obtained and deposited by me with the Secretary of the Treasury, who immediately wrote to the Bank of Va. with proposals for their paying the amount at Richmond. In the event of his not succeeding in this arrangement, there will be some difficulty in getting that sum transferred, except in Treasury Notes.

As there is not the least prospect of getting the Pay-master of the Army to commence the final settlement of our pay-roll, I shall return home soon as the Secretary can effect an arrangement for paying the large Warrant.

Two thousand notes in payment of the first warrant have been executed, and will be ready for delivery (at Register's Office), to-morrow. They carry an interest of 5 2-5 per ct., are fundable in six per cent. Stock, and receivable everywhere in payment of taxes and duties due the U. S.

I am, &c.

JOHN CHEW TO THE GOVERNOR.

Feb. 5,
Washington

Since I had the honor of addressing you on the 31st ulto., the Secretary of the Treasury of the U. S. has informed me that his proposals to the Bank of Virginia for paying 400 thousand Dollars to the State have not been acceded to, and that the probable time which he will have command of funds in Richmond, shall be ascertained from returns in his department and communicated to me in the course of 2 or 3 days. In the interim, be pleased to instruct me whether you will hold the warrant 60 or 90 days, and leave the amount deposited (without interest) in the Va. Banks, or prefer receiving it immediately in Treasury notes, bearing an interest of 5 2-5 pr. cent. If the latter be chosen, may not the notes be issued payable to the order of the Treasurer of Va., who certainly will have more leisure to endorse them than any other officer of the Government.

Your approbation having been obtained, and my presence here not being important, I shall on to-morrow proceed to Baltimore upon business for our Bank, but shall not remain longer than two days.

The Paymaster of the Army has fixed the first of April as the time to commence the final examination of the pay-rolls settled by the State.

I am, &c.

JOHN CHEW TO THE GOVERNOR.

Feb. 13,
Washington
D. C.

On my return to this city from Baltimore, I received your letters of the 7th and 8th inst., and I have the honor to inform you that in consequence of the Secretary of the Treasury not being able to arrange the

ent through the Va. Banks for the whole amount of the large war-
without further delay, and an uncertainty as to time, I determined
ceive a Draft on the Farmers Bank for the sum mentioned to you by
atcher, and Treasury notes for the balance so soon as the latter can
ued, I will return to Richmond agreeably to your request.
hen Mr. Wirt left me there was a hope of getting the paymaster of
army to exchange \$100,000 on our Banks for Treasury notes, but in
I unfortunately did not succeed.

1816.
Feb. 13,
Washington
D. C.

I am, &c.

unt Treasury Notes, dated 1st Feb.	-	-	-	-	200,000
Do. " 21st "	-	-	-	-	250,000
Draft on F. B'k " 12th " at sight,	-	-	-	-	150,000
					<hr/>
					\$600,000

FALLER HOLLADAY AND JAMES M. BELL TO THE GOVERNOR.

e have just received your letter, by Mr. Lindsay, of the 27th ulto.,
hasten to give you all the information, "the rise, progress, and dis-
ry" of the intended insurrection which has come to our knowledge.
orge Boxley, the chief of the conspiracy in this neighborhood, is
rally a man of restless and aspiring mind; wild and visionary in
theories, and ardent in the pursuit of his designs. At an early
od of his life, without any of the necessary qualifications, and with
reat respectability of character, he offered his services to represent
county in the Legislature of the State, but was prevailed on to re-
his pretensions to that office in favor of Gen'l Minor. During the
war with Great Britain, he served as an ensign in the Militia, and
t on a tour of duty to Norfolk, where he was considered a good drill
er. Whilst he was in service there he solicited the appointment of
stant to a Regiment, but was foiled by a more successful candidate.
n that period he became dissatisfied with the existing order of
gs, and after his return, on many occasions expressed his disappro-
on of them. Subsequently to this transaction, and while the militia
his county were in service near Fredericksburg, he acted for a short
in the capacity of Adjutant under Major Crutchfield, but was dis-
ed by that officer, and the post was given to one, without doubt,
ned by him more respectable.
ese repeated disappointments seem to have embittered his mind.
many occasions he has declared that the distinction between the rich
the poor was too great; that offices were given rather to wealth than
erit; and seemed to be an advocate for a more leveling system of
ernment. For many years he had avowed his disapprobation of
slavery of the negroes, and wished that they were free.

March 1,
Spotsylvania

1816.
March 1,
Spotsylvania

During the latter end of the last summer or early in the beginning of the fall, according to the testimony of the negroes, he began the conspiracy. To facilitate the means of carrying it on, he kept a shop for selling whiskey and some articles of merchandize. Under the pretence of purchasing these, great numbers of negroes were received at his house, and the horrible plot which has been detailed in our first communication, was formed, the detection of which we will now more particularly relate.

A few days previous to our first letter, private intelligence was given by Lucy, a negro woman belonging to Ptolemy Powell, of a design of the slaves to destroy the white people. For a day or two her Master kept it secret, doubtful what course he ought to pursue. Urged at length by the repeated entreaties and even by tears of the woman, he determined to make it known to a magistrate. A negro man hired by James M. Bell to Boxley for the present year, and certain other negroes, were selected, who from their situation and other circumstances, were supposed to possess a knowledge of the conspiracy, being assured of protection and exhorted to tell the whole truth, related the facts which were communicated in our letter of the 25th ulto. We should not omit to mention that they were examined separate and apart, without previous notice that such examination was to take place, and without the possibility of any communication with each other.

On Saturday last after the negroes were apprehended, Boxley wrote a letter to us, in which, with much affection and in strong language, he disclaimed all knowledge of the conspiracy, and declared his own innocence.

About 1 o'clock of the same day, as we have understood, he armed himself with a musket, his sword and razor, and, trembling in every limb and pale as death, mounted his horse and rode off. After going a little distance he stopped, called his wife to him, and told her not to be concerned if she never saw him more—that he had as lieve be dead as alive. He then went on. In about 15 minutes his horse returned without bridle or saddle. His friends searched for him that evening and the next morning, but were unable to find him, and for some hours they supposed he had put an end to his existence. The next day, just as Mr. Lindsay was about to mount his horse, we received information that Boxley had been the night before in Louisa collecting his associates, and was then probably at the head of a small band of negroes. Our guard over the prisoners was at that time weak. We had reason to apprehend that his design was to rescue them, and, indeed, private intelligence was given us that he had assured the negroes if any of them should be apprehended, he would rescue them. We dispatched men in all directions to collect sufficient force, and before sunset we had a strong guard over the prisoners and men enough to order out two patrols.

1816.
March 1,
Spotsylvania

Hitherto no legal evidence had come out which we thought would authorize us to take Boxley into custody. Now, on hearing of the acts which he had committed in Louisa, we determined at all hazards to apprehend him. We ourselves went to his house (where we understood he had been seen) with a force sufficient to secure him, but he heard our approach and made his escape.

The next day (Monday) a body of 16 armed men came from Louisa with a warrant from a magistrate issued on the facts known in that county. The warrant was renewed here, but still he could not be found. The succeeding night armed men were in search of him from both counties, who watched the different ways to his house, and it seemed impossible for him to escape unless he abandoned his wife and children and fled from the country.

His associates, after remaining with him a few hours, had deserted him. Under these circumstances, he went to the house of his brother-in-law with an intention of surrendering himself to the civil authority, and accordingly he did so the next morning (Tuesday).

On the evidence from Louisa, connected with his own confession, we have committed him to jail to be tryed by an examining Court on Monday, the 4th of this month. He admitted before us the assemblage of negroes under himself in Louisa, but said it was for the purpose of procuring testimony to prove the innocence of those who had been arrested. He admitted that he had held out promises of freedom to them; that he had spoken to them of arrangements to be made for their assembling in great numbers on horse back near his house to be by him conveyed to a "free State," but that he ever intended to deceive them; that the conspiracy would never have been carried into effect, and that, as there was no intention to do ill, he ought not to be punished.

We deem it unnessary, and perhaps it would be improper in us at this time, to detail the evidence which will be exhibited against him. His relations begin to hold up the plea of insanity, tho' nothing of the kind was ever thought of before the discovery of this conspiracy. He speaks of Divine revelations, and mingles the cant of religion with his schemes.

Whether he is insane or not, we mean not to express an opinion, but we fear that he labors under a moral, rather than a mental derangement.

The persons proven to be concerned in the plot, are confined to the counties of Spotsylvania, and Louisa, and Orange. Nineteen have been committed from the first, eight from the second, and we believe one or two from the last mentioned county. But there are reasons to believe that the conspiracy was much more extensive. Many of the witnesses examined here, declare that assurances were given the negroes by Boxley that it extended to Fredericksburg and Richmond. We have been informed since our letter to you that the woman who discovered the plot,

1816.
March 1,
Spotsylvania

says that during the Christmas holidays she was told by her husband, who lives in Lynchburg, that an intended insurrection of the slaves was talked of there. His name we are informed is Simon, and he belongs to Mr. Spotswood Crenshaw of that place.

We deem it important to communicate to you this intelligence, and respectfully suggest the propriety of directing an enquiry.

But it should be done with all imaginable caution, and in a way not to make known from whom the information comes. We suggest this course to protect the woman from the rage of the people of her own colour, as we have been informed that the life of a negro man in Louisa who informed of the conduct of Boxley in assembling his associates there, has been endangered.

One part of the scheme in Louisa was that when the assemblage took place, they were to select the best horses of their masters, and *cut the throats of the rest* to cut off pursuit.

We are, &c.

The copies of the records of the Courts of Louisa and Spotsylvania in the trials of the negroes concerned in this plot, as also the Governor's Proclamation for the arrest of George Boxley, who escaped from the jail of Spotsylvania county, are on file.—Ed.

BUSHROD WASHINGTON TO THE GOVERNOR.

March 18,
Washington
D. C.

It is not in my power to express in terms which would do justice to my feelings, the sensibility with which I received the resolution of the Legislature of Virginia, authorizing the Governor to open a correspondence with me, and to request me in behalf and in the name of the Commonwealth to permit the remains of her beloved son the late Genl George Washington to be removed from the family vault at Mount Vernon and interred near the Capitol of Virginia, beneath a monument to be erected at the public expense, and to serve as a memorial to future ages of the love of a grateful People.

The nature of the application, the unanimity with which it was made, and the terms in which it is expressed, all unite to impress me with feelings of gratitude which can never be obliterated.

So many and so powerful are the motives which urge me to comply with the wishes of the Legislature—so sincere and so earnest is my solicitude to promote them, that could I oppose to them only my personal feelings, and my individual repugnance to parting with the remains of General Washington and of Mrs. Washington, these feelings would have been subdued, this repugnance would have been conquered, and I would have yielded these bodies to be disposed of as the will of Virginia. Painful as the sacrifice must have been, it should have been made.

But obligations more sacred than anything which concerns myself—obligations with which I cannot dispense—command me to retain the mortal remains of my venerated uncle in the family vault where they are deposited. It is his own will; and that will is to me a law which I dare not disobey. He has himself directed that his body should be placed there, and I cannot separate it from those of his near relatives by which it is surrounded.

1816.
March 18,
Washington
D. C.

I pray you, Sir, to accompany my profound acknowledgements to the Legislature of Virginia, with the most respectful assurances that no considerations, merely personal, could induce me to oppose my wishes to theirs, and that it is not without the most deep-felt regret that even under the high sense of a most sacred duty, I decline to comply with the request contained in their Resolutions.

Permit me, Sir, to add that the manner in which the request of the Legislature has been communicated by the Executive, has, in no small degree, increased the pain I inflict on myself in not yielding to that request, and to assure you that

I am, with the highest respect, Sir, Yo. mo. ob. Serv't.

FRANK CARR TO THE GOVERNOR.

By a law passed by the last Assembly. authorizing the establishment of a seminary of learning in the county of Albemarle to be called the Central College, the appointment of six visitors is vested in the Governor of the Commonwealth.

March 25,
Charlottes-
ville

A number of Gentlemen, who were trustees for a similar purpose under a former law, and whose exertions contributed to mature the plan presented in the law of the last session, have thought that the interest they feel in its success, rendered it not improper that they should point your attention to such persons as they might think the visitation of the College might be committed with advantage.

With this view, they lately held a meeting and have requested me to transmit the result to you.

The following Gentlemen were presented to their consideration, viz:

Mr. Madison, Mr. Monroe, Mr. Jefferson, Mr. David Watson, of Louisa, Gen'l John H. Cocke, and Mr. J. C. Cabell.

That the two first named Gentlemen will serve is presumed, as they were inserted in the list at the instance of Mr. Jefferson. Mr. Watson informed me at our last Court that he would, if appointed, and, altho' I know not that any communication on the subject has been had with the other two, I have very little doubt but they will serve.

The Gentlemen who have undertaken to act in this recommendation,

1816.
March 25,
Charlottes-
ville

are aware that they do not act in any official capacity, and they can expect that no more weight ought to be given to it than what may be derived from a warm interest in the general concerns of Education and their particular anxiety for the success of the Central College.

In this view, they are confident that you will not fail to appreciate their motives and properly to excuse what, under other circumstances, might seem an improper interference in matters pertaining exclusively to your office.

I am, &c.

JNO. CLARKE TO THE GOVERNOR.

April 27,
Powhatan

On the 15th Inst., I exhibited to the members of the Executive Council then present, a drawing of the kind of a cast iron balustrade, which I thought best suited to enclose the public square in the city of Richmond, and stated that my partner and myself would undertake to cast such balustrade for nine cents per pound. I was, however, informed that probably no decision would be made upon the subject for several weeks. Having in our employment the most experienced and neat Founders of iron, I believe it is in our power to cast the said balustrade in as complete a manner as it can be done in America.

The members of the Council were desirous that I should form a plan for the improvement of the said square, for which purpose I was furnished with the surveyor's plat of the public grounds surrounding the Capitol, Governor's Mansion, &c. I am preparing the plan, and will endeavor to carry it to Richmond toward the latter end of next week. Mean time I return herewith the said plat of Survey.

I am, &c.

JOHN CHEW TO THE GOVERNOR.

May 5,
Washington
D. C.

A pressure of business in the Paymaster General's Office, and an act of Congress passed at the last session directing a division in the duties of the accountant, have hitherto prevented the claim of Virginia from being taken up. The additional accountant authorized by that act has been appointed, the distribution of our vouchers to different departments as formerly directed, dispensed with, and the *whole claim* is to be adjusted by this new officer so soon as his department can be organized.

The returns made by our superintendent of Military supplies for issues of Camp Equipage, arms, &c., will be wanting in the early part of the examination. Be pleased to have them forwarded soon as the duplicates be completed.

All our papers have been removed to the public offices (lately rebuilt), and thrown into confused piles, which required much labor to replace them in numerical order.

1816.
May 5,
Washington
D. C.

A further appropriation of \$400,000 has been made by Congress to cover the balance of our claim, and no exertion on my part shall be wanting to enable the State to receive that amount previous to the meeting of the Legislature.

I am, &c.

SACKVILLE KING TO THE GOVERNOR.

Informing him of the death of Judge Dabney, and recommending Christopher Clarke, Esqr., for nomination as his successor.

May 7,
Campbell

JOHN CLARKE TO THE GOVERNOR.

At the request of the members of the Executive Council on the 15th ultimo, I have drawn the plan, which accompanies this, for the improvement of the public grounds which environ the Capitol of Virginia, which I respectfully submit to the consideration of the Executive.

May 12,
Powhatan

Few situations, if any, are capable of a higher degree of improvement or afford a greater variety of beautiful scenery than the place in question, and such is its elevation and the bold and romantic inequality of its surface, that nature has left little to be done by art to render it a useful and delightful place of recreation. I have taken the limits or outlines of these grounds from a plat of survey furnished me from the Council Chamber, and in forming the plan, I have endeavored to combine usefulness with variety, adapting it to the present natural state of the ground, so that but little labour is required in the digging and removal of earth.

On the south side of this ground its surface is at least thirty feet lower generally than the surface of the level ground upon which the capitol is seated, so that a walk around the margin of the public grounds on its surface would not be effected without rambling up and down steps, which would be more fatiguing than recreative. But as the low part of this ground affords valuable sites for store houses, and as the chief object of the general improvement of this property is to make it an eligible place of public promenade, I propose that ranges of buildings calculated for commercial purposes shall be erected with as perfect uniformity as if they were but one entire building, of a height suited to the highest part of the ground, and level on the top so that the great outer walk may be continued on a level quite around the public grounds, passing on the lower side thereof on the tops of said buildings, as designated in the

1816.
May 12,
Powhatan

plan* by Fig. 15, 16, 17, 18, 19, 20, 21, which would render the walks not only level, but more airy, and would afford many beautiful views, whilst the buildings erected would perhaps produce an annual revenue of thirty or forty thousand dollars, there being sufficient space for between thirty and forty commodious store houses. By this arrangement the great walks would be made level, airy, and more commodious, without losing an inch of ground, as the walks on the lower side of the premises would then be on the top of the buildings instead of being on the ground on which these buildings would stand, whilst the buildings themselves, which in fact take away no space, would annually yield the profit above stated. Should it be urged as an objection to this arrangement that such buildings would prevent a free circulation of air on the area of the public ground, let it be recollected that the tops of these ranges of buildings are not to be higher than the ground on which the Capitol stands, and that the houses of private individuals that will be erected opposite to those contemplated ranges of buildings, would equally impede a free circulation of air. Should this idea be adopted, it will require that the Barracks of the public guard and the house on the public ground sometimes occupied as a place of vending artificial mineral waters, should be removed, for either or both of which purposes the contemplated ranges of buildings would furnish ample accommodation.

It would perhaps be preferable to remove the present Barracks to the public grounds which surround the Penitentiary or the Armory.

I propose that the spring of water on the southwestern part of the public square, should be deepened and improved so as to produce more water than at present, and removed by a pipe to the place designated in the plan by Fig. 4, where its water may be discharged from a hydrant, by which means the water may always be kept free from impurities. I also propose that the spring in the ravine or valley between the Capitol and the Governor's mansion may undergo a similar improvement within the shrubbery designated in the drawing.

I also propose that the street called eleventh street, passing by the Eastern side of the Capitol, should be kept open for the approach of carriages to the Capitol, and that no other street shall pass through the public grounds, there not being room on the level part of the ground for the parade of carriages. This arrangement would leave the ground about the Capitol in a square form, and this being a place of general resort, it would be too public to be kept ornamented with shrubs or flowers, as they would be subject to continual depredations, particularly by the juvenile portion of its visitants. I therefore propose that this square should be laid out in walks turfed with green sward and planted with trees, as represented in the drawing. I also propose that the land on the eastern side of said street—I mean the Governor's residence, the valley, &c.—shall be improved somewhat in the manner represented in

1816.
May 12,
Powhatan

In the drawing, the lower parts of the valley to be ornamented with flowers and the upper or northern part thereof converted into a little wilderness of trees and flowering shrubs. To keep this part of the public ground thus improved, in good order, the exclusive privilege of selling refreshments therein might be given to some discrete man who would find it to his interest to keep it in the highest state of preservation.

I also propose that a bridge of one entire arch be erected across the valley between the Capitol and the Governor's Mansion fronting the door on the eastern side of the Capitol.

Our flourishing Metropolis, which will soon become a populous City, will indispensably require a supply of water to be drawn, either from the basin of the Canal or from the river.

At the present time, if houses on high grounds of said city take fire, there is but little prospect of saving them from destruction for want of water, not to mention the advantage of watering and cleansing the streets in summer, to render the air more salubrious, and the water required for washing, for culinary purposes, &c.

A small spot only will be necessary for the seat of a Steam-Engine for that purpose, which might, I conceive, be allowed on the public square, which lies almost in the centre of the city, and by its elevation affords a most eligible site for the establishment of works for watering the upper as well as the lower part of the city, and the water might be carried from thence several miles in almost any direction, and might be made to rise into the upper stories of the buildings. I have, in drawing the plan, designated a spot on which such works might be erected, which would be a useful ornament, and no detriment to the public property. A few weeks ago, while on the Capitol Square for the purpose of viewing the premises preparatory to forming a plan for the contemplated improvement thereof, I had a conversation with Dr. William W. Ashe, Sen'r, of Richmond, on the subject of erecting water works there. He approved highly of the measure, and informed me that if

the people of Richmond should be permitted to erect such water works on the public square, there was no doubt but that the corporation of the City would be at the whole expense of that improvement, it being so much wanted. Nothing could contribute more to the elegant

improvement of those grounds than such an establishment, as besides the ornamentality of the edifice for the works, the water destined for cleansing the streets and sewers of the lower part of the city, or even for the use of families, might be spouted artificially in Fountains

Jet d'eau to a great height, as the engines would elevate it in the engine-house at least thirty feet above the highest part of the public grounds, and its surface in that reservoir would be from seventy to an hundred feet above the lower parts of the said ground, to which it might easily be conveyed in pipes. To effect this object, an arrange-

1816.
May 12,
Powhatan

ment might perhaps be made with the said Corporation, that for yielding to the citizens the privilege of erecting the said works on the public square, they should make the Fountain or Jet d'eau at their own expense, which would not be great, nor would it, in my judgment, be unreasonable, when it is considered that those beautiful water-spouts would be more constantly enjoyed by themselves than by the public functionaries.

I conceive that the most appropriate and permanent enclosure for these grounds (which is the first object to be accomplished) should be formed of a wall of stone, or of brick coped with stone, one and a-half or two feet higher than the surface of the ground where it shall be erected. Upon which coping should be fixed an iron balustrade four feet in height of the form described by a drawing which I presented to the Executive on the 15th ulto., making the enclosure six feet high. This, I think, would be a strong, permanent, airy and elegant enclosure, and well adapted to the object.

Monuments to perpetuate the gratitude of the people to individuals who have rendered themselves illustrious by their distinguished patriotism and valour, have in every enlightened nation been found to have their good effects tending to inspire the beholders with sentiments of the most exalted devotion to their Country's rights, and prompting them at every hazard to embark in their defence. If such memorials are requisite for those objects, and demanded by superior excellence, surely one is due from every State of the American Union to the virtues of that first of heroes and best of men, George Washington, the chief agent in giving republican liberty to a new world. Convinced of the liberality of my fellow-citizens of Virginia, and the grateful remembrance in which that hero is held, I have, in forming the plan for the improvements of the grounds which surround the Capitol of his native State, designated a spot for his monument, not doubting but that the patriotism of the people will ere long induce them to erect one, even tho' his remains shall continue where they now rest.

I am, &c.

* Plan for improvement of the Capitol Square not found.—Ed.

ALLEN WILSON TO THE GOVERNOR.

May 15,
Cumberland

Informing him of the death of Judge John Dabney and recommending the appointment of Mr. Archibald Austin to fill the vacancy.

JAMES MADISON (PRES'T U. S.) TO THE GOVERNOR.

I duly received your letter of March 4th, inclosing a Resolution of Feb'y 22nd by the General Assembly of Virginia, and urging the importance of providing for the protection of the Chesapeake Bay, which is the object of that Resolution.

1816.
May 29
Washingt
D. C.

Concurring fully in the views you have presented of the extended interests which are connected with the waters of the Bay, and of the use that can be made of them by an enemy powerful in its marine, as evinced during the late, as well as during the Revolutionary war, it will be necessary only to state the arrangements existing and contemplated with a view to the security of that exposed and important portion of our Country.

In addition to the present works at Baltimore, Annapolis, Warburton and Norfolk, it is proposed to fortify Strongly Old Point Comfort, so as to afford protection to vessels coming in and going out of the Bay.

The enlargements or improvements to be made in these works, and the further additions which may be made to their number, will depend on professional examinations and the means which may be appropriated.

In the waters of the Bay there are at this time two armed schooners, two Gun Boats and eight or ten barges only. The proportion of the public naval force to be allotted for its defence, must of course be governed by occasions and circumstances, and by the extent of the peace establishment. But it is contemplated that one or two Steam frigates on the plan of that at New York, shall be stationed in the Chesapeake as soon as they can be built, with the confidence and improvements which may be derived from further experiments of that already built.

And it is decided that a general survey of the Bay and its waters, with a view to more effectual defence and security, shall be made under the immediate direction of the Navy Board and with the aid of a capable engineer. They will particularly examine into the practicability of works which may command the entrance into the Bay; the expediency of works at the Tangier Islands which will deprive an enemy of the use heretofore made of that position, and will examine and compare the several places which may claim attention in selecting the station best adapted for naval equipment, and at the same time most capable of self defence, and of repelling or controuling a hostile maritime force.

The commissioners of the Board, accompanied by Capt'n Sinclair and by Col. Bomford, will commence immediately this important service; and as no immediate danger is threatened to our peace by a maritime power, it is thought better to devote whatever time may be necessary for an effectual and satisfactory result, than to incur the risk of errors which might involve an unnecessary expense or failure of the essential object.

Accept, Sir, assurances of my esteem and best respects.

CHRISTOPHER ANTHONY, JR., TO THE GOVERNOR.

1816.
June 15,
Lynchburg

Declining the appointment of Judge of the General Court.

WM. H. CRAWFORD (SECT'Y) TO THE GOVERNOR.

June 17,
Department
of War

The decision of the Chief Justice of the United States that the sentences of some of the Courts-martial against delinquent militia men in the State of Virginia are void because the Courts did not proceed in those trials according to the laws of the United States in such cases provided, has imposed upon the President the unpleasant duty of directing that courts-martial be now instituted for that purpose.

Exertions have been made to obtain the names of the officers who were called into service in order that the courts-martial may be composed of them, but have not been attended with success.

To remove all difficulty, and to put an end to the delay which has already been too great, the President has directed me to request that your Excellency will, as soon as practicable, institute courts-martial for the trial of those militia men who, during the late war, have refused or neglected to march when ordered into the service of the United States.

It is expedient that these courts shall be composed of officers who were called into the service during the war, and, as far as practicable, at the time that the delinquency may have happened. As the courts will only have to pass upon the delinquency of privates, the grade of the officers who are to compose them is not important. Those of the delinquents who shall signify their acquiescence in the former sentence, and shall at the same time comply with it, should not be compelled to appear before the Courts now intended to be instituted.

This option might be given to them in the Subpoena: The submission to the former sentence should in all cases be in writing. Perhaps a notice to this effect in the order constituting the Court would have a beneficial effect.

I am, &c.

WM. H. CRAWFORD, (SECT'Y) PRIVATE, TO THE GOVERNOR.

June 17,
War Department

The letter accompanying this has been written upon the supposition that public opinion calls for the execution of the laws against delinquent Militia-men. This is known to be the case in many of the States, especially in Pennsylvania. As this measure is resorted to in obedience to what is believed to be the general will, your Excellency is requested

order the Courts-martial or not according to your views of propriety,
 to what is called for by the feelings of the State over which you
 side.

1816.
 June 17,
 War Department

I am, &c.

WMISTEAD T. MASON TO COL. ROBERT QUARLES (Q. M. GEN'L).

I beg pardon for not having sooner replied to your letter of the 8th
 April, on the subject of the public Arms in the hands of the Militia
 the 6th Brigade.

June 18,
 Loudoun

When this Brigade was called out enmasse in August, 1814, a great
 number of the Arms carried to Washington and Baltimore were found
 to be entirely unfit for service, and they were exchanged at those places
 for Arms belonging to the United States.

The Arms belonging to Virginia, thus exchanged by the 60th Reg't
 (Fairfax) were on the day of the Battle of Bladenburg deposited
 in an Arsenal (or a house used as such) in Washington, and were there
 destroyed by the Enemy on the next night. Those thus exchanged by
 the 56th and 57th Reg'ts (Loudoun) were deposited at Ellicott's Mills,
 and were subsequently by my orders, together with the Arms belonging
 to those Regiments which were also deposited there upon the discharge
 of the Militia in the fall of 1814, brought to Frederick Town in Md to
 be repaired in preparation of the anticipated Spring Campaign. They
 (all of them that were worth it) have been repaired and brought
 home; some of them distributed among the Militia, and the remainder
 deposited in one of the debtor's rooms of the jail in Leesburg, where
 they now are.

Lacking no returns before me, or written data from which to write,
 I being obliged to rely entirely on my memory, I cannot undertake
 to specify the number of the arms mentioned in any of the above cases.
 I will, however, take measures immediately to ascertain as soon as pos-
 sible the number of arms in each Regiment of this Brigade, and the
 number lost at Washington. I will lose no time in communicating to
 you the result of my enquiries on this subject. In the interim altho' I
 am not in the habit of foreboding evil, I cannot forbear to express my
 fears that it will be found that a great number of the public arms of
 this Brigade have been lost or destroyed, or much injured during the
 war. I made every effort to preserve in good order those of the
 Reg't which I commanded. I had them repaired repeatedly during the
 war and just before it, but all in vain. Under our present wretched
 system of militia laws, it is utterly impossible to have arms or men fit
 for service. In consequence of what passed between us last spring on
 the subject of the public arms, I ordered all those in this Brigade to be

1816.
June 18,
Loudoun

collected at the several Regimental musters and to be deposited in places of safety for the purpose of being returned to the Arsenal at Richmond. The 56th and 57th Reg'ts were prevented from mustering by extremely inclement weather, and in consequence, the arms of those Reg'ts remain as they were before my orders for the Regimental muster. But those of the 56th had been previously collected (under some order before I was promoted to the command of the Brigade) and deposited in a house within the limits of that Regiment, where they now are. The arms of the 60th Reg't have, in obedience to my orders (and, as I supposed, in conformity with the wishes of the Governor as communicated in your letters), been collected and deposited in a place of safety, one of the Jury rooms of Fairfax Court-House. Among those arms are those belonging to the United States, which were received in Washington on the 24th of August, 1814, in exchange for the arms of Virginia, which were destroyed, as already stated, by the Goths, who sacked and burnt that city. Your letters to me on the subject of the public arms were received at Washington during the Session of Congress. Being at that time much engaged in other business, I mislaid them and have not been able to lay my hands on them again until to-day. My orders calling in the public arms were consequently given from my recollection of those letters. Upon reading them again, however, it is not so clear that they request the arms in the hands of the militia to be called in and sent to Richmond. They appear to relate more particularly, perhaps exclusively to the arms deposited in F. Town and in Leesburg. If I have misunderstood you on this subject, the arms collected at Fairfax Court House can be again distributed, as also those of the 56th Reg't shall not be called in unless I receive other instructions in relation to them. Should it be thought advisable to have those arms again distributed, this can be done at the Battalion musters in the fall, or sooner, if necessary. But if the Executive prefer to have them all (as well as those already called in as those still in the hands of the Militia) sent to Richmond, I will as soon as I hear from you on the subject, have done whatever shall be required. I would, however, suggest (with permission) that about 60 or 70 Stand of the best of the arms, with their appendages (cartouch boxes, &c.,) should be left in each Reg't with the best company of each Reg't. This I would particularly recommend to be done in the 60th Reg't (Fairfax), as some apprehensions (which, however, appear to me to be entirely chimerical) seemed to be entertained there of the black population, should the militia of that County be left entirely unarmed. And altho' I do not partake of those apprehensions, yet I think it proper, whenever they exist, to do everything that is necessary and reasonable to allay and suppress them.

In your communication with the Executive respecting the arms, I request you will know and advise me what is to be done with the arms

belonging to the United States, which are now in this Brigade as I have already mentioned. I would suggest that they be returned to the Arsenal at Harper's Ferry whence they came, or that they be placed subject to the order of the Secretary of War, and that the arms belonging to Virginia which were destroyed at Washington, be charged to the United States. It will rest, however, with the Executive to decide on this call, and his orders shall be executed.

1816.
June 18,
Loudoun

While on the subject of arms, permit me to add that there are in this County two excellent Troops of Cavalry, consisting, I believe, of nearly one hundred men each, in uniform. They are animated by a very laudable spirit to excel in tactics, and to encourage them I should be glad to procure swords for them which they are very anxious to obtain. If they could get swords, that would render it quite unnecessary to retain any muskets in this County; and as swords are much less liable to injury than muskets, I think it would be better to furnish them with swords, and to call in all the muskets from this county. May I ask the favor of you to mention this subject to the Executive, and endeavour to obtain about 150 Swords for those Troops. I understand that there are some swords at Dumfries left there during the late war, perhaps we could obtain them.

I am, &c.

C. W. GOOCH TO THE LIEUTENANT-GOVERNOR.

I arrived in the vicinity of Cumberland on Thursday morning about 8 o'clock, and ascertained that Captain Chase, Master of the Sloop Mary Anne, with the Brass cannon on board, had left Cumberland the preceding evening for this place. Thinking it probable that he intended getting to sea as soon as possible, and finding the wind against him in descending the river, I hastened to this place expecting to intercept him. Upon my arrival here on Thursday evening, I found he had not gone by, and would be compelled to call at the office of the Collector of this port for his papers. Accordingly I awaited, and she arrived yesterday morning about ten o'clock. As soon as she came to anchor, I went on board (accompanied by the Marshal), stated my business to the Captain, and promised him a liberal reward for his trouble in raising the cannon if he would give it up, as well as a corresponding reward for finding and raising others which it is said are in the river opposite to Cumberland. He persisted in urging his *right* to the cannon, and would not consent to give it up to the Government unless he was paid *its full value*. The crew soon collected around us and unanimously protested against parting with it on any other terms. I then had no other course left but to explain again and at large the grounds upon which the Commonwealth claimed

June 23,
York Town

1816.
June 23,
York Town

the gun; the disposition of the Executive to reward them liberally for raising it, and the regret which I should feel at being under the necessity of resorting to the aid of the civil authority. Finding this intimation of a recurrence to the civil authority had no effect, and that they would neither give up the gun upon such terms as I was authorized to receive it, nor enter into any engagement to search for others, I directed the Marshal to execute the process.

The Marshal also found them unmanageable. They would neither deliver up the Gun to await the decision of the Court, nor enter into bond and security to have it forthcoming when required. Their refusal to comply with either of these alternatives left the Marshal no other course but to seize the vessel as well as the cannon—and they are now in his possession.

The Captain and one of the men went immediately to Norfolk for advice on the subject, and intimated an intention of going to Richmond before they return.

The Cannon is very similar to those in the armory. I have a correct description of it.

I am, &c.,

JOHN CHEW TO THE GOVERNOR.

June 23,
Washington
D. C.

The examination of the Claim of our State against the United States has progressed with the abstract for expenditures in the Quarter Master's department to the 23rd of September, 1813, and with the abstract for pay and subsistence to the 16th of August, 1814. Anterior to these dates the large portion of our vouchers of a doubtful character are charged, and as the objections of the examining clerk are not important in amount, or serious in their nature, I may be allowed to cherish a hope of closing the transactions upon the most liberal principles in the power of the Secretary of War to admit. It's my intention to return to Richmond in the course of a few days, when a minute detail of the objections and progress shall be given, and which have become too voluminous for the subject of a letter.

I am, &c.

To the Honorable the Governor and Council of the commonwealth of Virginia:

The memorial of Gilbert Chase, Philip Chase, Francis Southwick, Zepheniah Barrows, Michael Goodin, Raymond P. Bendick, Bradford Chase, and Benj'n Downing, all citizens of the United States, Sheweth—

That your memorialists are generally poor men who are devoted to honest industry to obtain a support for themselves and families. They

regard and are obedient to the laws of the United States, and have been taught to respect them as the supreme laws of the land when made in pursuance of the constitution of the U. S.

1816.

Your memorialists having known that the Congress of the United States had granted letters of patent to Richard Tripe for the purpose of using the Invention called the diving Machine, by which law those concerned might search all waters—Creeks, Rivers and Ponds, and Bays—and to appropriate what might be found to the use of the finders. Being thus authorized by law, your memorialists formed themselves into a company, obtained powers from the patentee, and deserted their homes and families to make such searches as the above law authorized and as casual information might invite.

Your memorialists had received a kind of traditionary report that a French Brass Cannon of considerable size had been sunk in York river, near a place called Cumberland, nearly forty years ago, and had been long ago abandoned; believing that the law alluded to authorized them to search for the said Gun, and, if found, to appropriate it to their own use, they came to Cumberland in their own vessel and reported ourselves to Watkins, a Magistrate of the County of New Kent, informed him of our intentions, and obtained his consent to proceed and make the search; and, after searching between three or four days, using all their skill and dilligence, were about to depart, when, in the last intended effort, the Gun was found. It was sunk about $4\frac{1}{2}$ fathoms at low water, almost covered in sand.

Your Memorialists, in all this matter, have conducted themselves in an open and orderly, and careful manner, without entertaining a doubt that their conduct was strictly authorized, and are not only much disappointed, but mortified to find that the Government of the Commonwealth of Virginia, should have thought proper to proceed against them for the purpose of reclaiming the Gun, as the property of the Commonwealth.

The intention of your Memorialists is to convert the said Gun into money for the benefit of their families, and should it be deemed expedient by your Honors to purchase it at its value, the preference will be readily given; but if your Honorable body, after weighing the matter alledged, should deem it expedient to retain the said Gun under a claim for the Commonwealth, your Memorialists humbly pray that they, with their vessels, may be allowed to depart with liberty reserved to support their rights to the said Gun, according to the laws of the United States. And your Memorialists will pray, &c.

Signed in behalf of the Company, by

GILBERT CHASE.

BENJAMIN DOWNING.

1816. Henrico County—to-wit:

This day Gilbert Chase and Benj'n Downing appeared before me, a Justice of Peace for said County, and made oath to the truth of the above Memorial.

Given under my hand this 25th day of June, 1816.

WILLIAM PRICE.

WM. DANIEL (JUDGE) TO THE GOVERNOR.

July 2, Resigning his Commission as Judge of the General Court, on account
Richmond of ill health.

II. S. GEORGE TUCKER TO THE GOVERNOR.

July 5, The Company of Riflemen of this place, which served with so much
Winchester credit at Norfolk, having been in the affair at Crancy Island, and for six months on duty at that place, appear very anxious to keep alive the Esprit du Corps, and to render themselves fit for service at any future period. The want of Arms however, damps everything like Military spirit, and of course renders it very difficult to keep up their muster roll to the proper number, and to procure recruits, willing to go to the expense of Equipping themselves with a neat uniform.

There are some public Arms at this place, I am told, in the hands of a Gunsmith which want repair, and they have requested me to write to your Excellency on the subject, and learn whether they may be permitted to take them when they are repaired, and whether any deficiency in the number of stands can be supplied them with propriety from the public Arsenal. Hoping that the Executive will feel disposed to indulge them if their case will justify it.

I am, &c.

JAMES SEMPLE TO THE GOVERNOR.

July 16, Resigning his Commission as Judge of the General Court of the
Surry Co. Second Judicial District, on account of the danger of the climate of that County to his family: but expressing his willingness to accept some other District.

JAMES SEMPLE TO THE GOVERNOR.

Accepting of an appointment as Judge of the General Court to preside in the circuit in which Judge Daniel lately presided.

1816.
July 26,
Surry Co.

GEORGE WYCHE TO THE GOVERNOR.

Proposals for making surveys and maps of the Counties of Virginia.

July 26,
Greensville
County

WM. DANIEL TO THE GOVERNOR.

Accepting the appointment of Judge in the General Court to fill the vacancy occasioned by the death of Judge Dabney.

August 7,
Cumberland

JOHN WOOD TO JOHN TYLER (OF THE EX. COUNCIL).

I wrote you immediately upon the receipt of your favor of the 27th of July, requesting information on several points. Having not received an answer, I presume you had left Richmond for Charles City. That there may not be any misunderstanding, I thought it might be proper to inform you more explicitly with respect to my determination, as you desire it previous to your meeting upon the 19th.

August 14,
Lynchburg

I have to thank the Executive for the good opinion they are pleased to entertain of me as a Surveyor, and I will undertake the business which they have assigned me at \$2 per mile, which you say is the compensation fixed. I suppose means \$2 per mile for every distance which the Executive require to be ascertained.

Having mentioned in my letter to the Governor that from arrangements I had made in this place, as likewise from interruptions which would be caused by the foliage of the trees upon the banks of the rivers to proper observations, it would be inconvenient for me to commence previous to the first of October. I presume, therefore, I will not be required to begin before that period. If the Executive deem it essentially necessary to commence previously, you will be so obliging as to inform me; although I know the operations will be both difficult and not so correct.

You observe that it is not expected an actual survey of the rivers by running the chain is to be made, but by means of base lines. If the banks of the rivers were in all places passable, the chain would be both the most expeditious and correct mode; but as I do not suppose that this is the

1816.
August 14,
Lynchburg

case, I purpose performing the survey entirely by water. I shall, however, also endeavor to procure several young gentlemen, who are desirous of improving themselves in practical surveying, to accompany me. If I am successful in procuring them, I shall survey by the chain likewise, and the one operation will be a check upon the other.

I do not think the compensation will yield me more than \$5 or \$6 per day at most, as the expense I calculate at \$10 per day for a good Boat, provisions, and four hands.

The nature of the business itself, and the information with the exercise it will afford me, is a principal object.

I am &c.

JOHN WOOD TO THE GOVERNOR.

August 21,
Lynchburg

I wrote to you about nine days ago, to acquaint you that I had agreed to the appointment which Mr. John Tyler wrote me the Executive were so kind as to assign to me. I informed you at the same time, unless I were particularly required, that I should wish not to commence operations previous to the first of October. I think proper also, to let you know that I have received by this day's mail a letter from Mr. Jefferson, to whom I had written for the loan of his surveying instruments. He is so obliging as to inform me that he will be at Poplar Forest, his seat in Bedford, the first week in September; and that he will bring the instruments then along with him.

I shall therefore have nothing to prevent my commencing operations as soon as I get to Richmond.

I am, &c.

JOHN WOOD TO THE GOVERNOR.

Sept. 4,
Lynchburg

I have already informed you of my readiness to undertake that part of the survey of the Rivers which Mr. John Tyler wrote to me the Executive had assigned. I have, however, rec'd a letter from another member of the Council, to whom in the absence of Mr. Tyler I had applied for information, acquainting me that it was the object of the Executive to have the rivers surveyed precisely as expressed in the law of the Legislature to be found at the 41st page of the Acts of last Assembly. I was only able to procure a copy of this law yesterday. From a perusal of the law, I find that in addition to the survey of the rivers, it is required, "*that the channels be correctly delineated, and the same be sounded.*" The member who wrote to me however, observes "*that it was the intention of the Executive to take the soundings of the rivers not at the time when they were surveyed.*" He also adds that he very much

doubts "*on considering the Law whether in order correctly to delineate the channel, it will not be necessary for the surveyor to take the soundings.*"

1816.
Sept. 4,
Lynchburg

This is a point of the first importance that the surveyor should be satisfied upon; for if he has to take the soundings, it will be impossible to advance more than one mile or two miles at most per day, and the compensation fixed upon would not pay one third of his expenses. By the survey of a river, I understand the *expressing the distances, and the courses of the meanders of the river on both sides, and finding the breadths at every principal variation.* This I am willing to do for \$2 per mile of distance found.

It is also to be recollected, that if the surveyor has to find the soundings, that it will frequently happen he may be kept idle for weeks together on account of stormy weather, during which time the hands of his boat must be paid.

It would have been very desirable if you had favored me with a letter pointing out precisely the different items the surveyor is required to accomplish. Altho' as I have already mentioned, it would afford me pleasure to be employed in this business, yet it could not be expected I could engage in an employment from which a loss would necessarily result.

If convenient, I should esteem it a favor if you would communicate to me your ideas upon this point. I shall be in Richmond at furthest upon the 28th of this month.

If, however, it is the resolution of the Executive that the surveyor express the channel of the river, and sound it in addition to the survey, will be unnecessary for me to go, as it would be impossible to accomplish it for \$2 per mile.

I regret to have troubled you so frequently upon this subject, but I trust from the importance it is to the State, as well as to myself, you will excuse this liberty.

I am, &c.

JAMES MADISON (PRES'T U. S.) TO THE GOVERNOR.

I have duly received your letter of the 18th, enclosing a commission for me as one of the visitors of the Central College in Albemarle. With reservation of the time required by my remaining duties at this place, shall with pleasure contribute my services in promoting the welfare of beneficial an Institution.

October 22,
Washington
D. C.

I am, &c.

 JOHN WOOD TO THE GOVERNOR.

1816.
October 24,
Richmond

I arrived here last evening, having finished the survey of the North side of James River.

I intended to have waited upon you, but was informed you were in Albemarle. I return immediately by the Southside, and shall come to Richmond again so soon as I have finished the chart of James River.

I am, &c.

GEORGE WYCHE TO THE GOVERNOR.

Nov. 3,
Suffolk

Having been engaged for the last fortnight in making the survey, I hasten, in obedience to the instructions I have received, to communicate the progress I have made in the execution of it.

The commencement was made on the Seaboard from Cape Henry to the Carolina line. I found a very great difficulty in ascertaining the point where this line intersects the Sea coast. It is a desert shore, and no person could, with any certainty, determine this point of intersection. We measured, I trust and believe accurately, twenty-eight and a-half. Whether that be more or less than the length of the Virginia coast, must hereafter be determined. The bearing is from South 75° East to South 5° East.

I have also completed the Survey of the course, width, and length of Elizabeth and Nansmond rivers. In making these last surveys it was necessary to employ several persons, and as the soundings could be made by me alone, I have postponed that for a short period. The plan adopted was to get with the greatest nicety, the length of a base line—frequently the width of the river—and by measuring from its extremities, the angles it would make with some object ahead, the relations of the angles and sides are ascertained.

The solution of these equations was, in every case, determined by Algebraical calculations or logarithms, and as the angles were measured with a Theodolite of considerable length of Radius, I flatter myself that the result of the whole is accurate and will give satisfaction. The difficulty of surveying the rivers towards their sources, on account of the many chops and turns, was immense, and the progress made in it slow. It will be impossible to make the chart without a perfect knowledge of the Dividing line between Virginia and North Carolina, for, in all probability, any line that could be procured would barely measure the entire length of it with an account of such permanent and natural objects as touch it, without their distance from any one point.

As for instance, I could not make a chart without knowing the dis-

lance from the Sea to where the line touched Meherrin, Black Water, Nottoway, and Roanoke.

1816.
Nov. 3,
Suffolk

I am not directed to measure the James River, hence in the chart I will make, all the country south of Appomattox must be left out, and as Mr. Meriwether will not survey it, it will make a gap in the General map of the Commonwealth. As James River is the boundary of all the counties that lie on its south bank, and as all their boundaries are to be ascertained and measured, would it not be better for the Gen'l Surveyor to do it? The same may be said of the Carolina line. I commence tomorrow at the mouth of Black water.

I am, &c.

ANDREW ALEXANDER TO THE GOVERNOR.

From your communication to the Legislature, and also from private conversation, I have been led to believe that the Executive would prefer contracting with surveyors to survey several counties together. Permit me now, therefore, through you to recommend to the Executive, Capt. Wm. Paxton, one of the members from Rockbridge, as a fit person to undertake the business. I think you can put as much confidence in him, so far as he will undertake, as any other person whatever. I am well acquainted with him, and know him to be well qualified.

Nov. 13,
Richmond

I will take the liberty also to request the Executive, if they should think proper to do so, to except from the contracts to be made for surveying counties, the great leading Road from Port Republic, passing Staunton, Lexington, Petersburg to the Big Lick, and from thence to the Gap in the Blue Ridge leading towards Franklin. My reason for asking this, is that when I am surveying under a contract made with the Executive, I will have to pass home in two directions along this Road. I will survey this Road for the same that may be given the contractors for surveying the Counties for similar surveying. I would also request the Executive in like manner to except from the contracts for surveying Counties, the Road leading from Lexington by the Sweet Springs to the mouth of Greenbrier River for the same reasons.

I cannot forbear expressing my regret, that circumstances have induced you to resign your station as Chief Magistrate, and consequently as President of the Board of Public Works. I will therefore bid you an affectionate farewell.

I am, &c.

P. S.—I have made several applications to the Clerk of the Council for to see the Report of two sets of Commr's, the one for running the line between this State and Kentucky, the other for running the line

1816.
Nov. 13,
Richmond

between this State and Tennessee. As this last line is a straight line, I only want the course of it. I suppose the line between this State and Kentucky, from Cumberland Gap to the head of Sandy River, has been actually run, and is composed of several courses, &c., these it is important I should have—indeed, I can hardly proceed without them in this part of the survey I have undertaken. I shall take it as a great favor, if you will get them forwarded to me, by post or otherwise.

JOHN WOOD TO THE GOVERNOR.

Nov. 25 I shall esteem it a favor if you will lay the enclosed before the honorable members of the Council, which will much oblige,

Y'rs, &c.

To the Honorable Members of the Executive Council of Virginia:

GENTLEMEN,—Having completed the survey of James River according to your orders, I deem it proper to make a few remarks on the subject, at the same time that I have placed before you a chart of the said survey, accompanied with a book containing the courses and distances upon each side of the river.

In the first place, as to the plans I pursued in the execution of it, the instruments which I made use of were a Gunter's four pole chain, a good surveyors compass, a Hadley's Quadrant, and a Sextant. All the distances were actually measured with the chain except in such places where marshes entirely prevented the operation of chain carriers. In such cases, I had recourse to base lines, either measured upon the opposite shore or upon the adjoining banks. But as courses taken by the Compass Needle can never be depended on as erring less than one degree. I corrected these courses every five or six miles, either by the Quadrant or Sextant. It may also be proper to notice that without the aid of these latter instruments, a survey of such extent could never be made to close or even approximate near the truth.

I also took the breadth of the river every ten or twelve miles, in order to check and prove the mensuration of the sides.

I have noted all the courses, distances, and breadths of the mouths of the rivers and creeks which fall into James River, in the book which accompanies the chart, as being a mode generally practiced in surveys, in preference to noting them upon the chart itself.

With respect to the breadths of the mouths of rivers and creeks, I found a variety of opinions existing as to those points which constitute the mouth of a river or Creek, and I may with confidence assert that there are no two individuals who will agree in assigning the same boundaries to the mouth of any river or Creek, unless in such instances when some striking objects in nature evidently point them out.

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Nov. 25

In regard to the boundaries of the Counties I also found a difference of opinion to prevail on this head, and to be at present a subject of legal controversy yet undecided. In such cases I noted the boundaries from what I esteemed the best information I could procure.

From the uncertainty of good weather at this season of the year, and the shortness of the days, I find it necessary to suspend my surveys of the other rivers until the winter months are over. It having been intimated to me in the first letter which I received upon this subject from Mr. John Tyler, that I should be employed in ascertaining the Latitudes and Longitudes of certain places in the State, I beg leave to suggest to you that this could be done even with more facility when the nights are long; and that if the Latitudes and Longitudes of several principal points were accurately laid down, that these points would not only serve to prove the accuracy of the surveys which are already made, but would render the execution of future surveys more easy.

The instruments necessary for the purpose would be a good achromatic reflecting Telescope, which might be obtained for \$250, a Sextant and Telescope.

Previously to my setting out again, I shall be obliged to you for a similar advance to what I had before of \$600, or at least of \$400, which will be the same with the sum given to the other surveyors. The whole number of miles in the survey of James River, amount to 287½ miles, the compensation for which will be \$574 and fifty cents.

I am, &c.

SIR,—We, the undersigned, Commissioners appointed by an Act of the Legislature of North Carolina, passed on the — day of December, 1811, and of the Legislature of Virginia on the 31st of January, 1812, entitled An act to incorporate a company for the purpose of cutting a navigable canal from Roanoke to Meherrin River, and from the waters of Chowan River, in North Carolina, to some of the waters of James River, in Virginia, or to the Dismal Swamp Canal, beg leave to report—

That in April last we employed Engineers to ascertain the best route for a canal to connect said waters, and to estimate the expense of executing the work.

We employed Messrs. James R. Allen and Robert Robson. We have every reason to place the most implicit reliance on their competency to ascertain all the necessary facts with the greatest accuracy. They together combine a knowledge of calculation with experience in everything relating to canalling. Mr. Robson is particularly acquainted with the expense of the construction of Locks, of Blowing Rock, of Plainfield, &c., for he has superintended the execution of works of a similar kind. The Engineers have likewise had in preparing their Estimate, the assistance of a number of gentlemen of great experience, and who

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were the most active Directors of the Appomattox company. The course of Navigation which we recommend is as follows:

A Canal should commence near the Cow ford and run to Eaton Pugh's Island; thence along the River hills until it arrives at the top of the ridge near Syke's store, $11\frac{3}{4}$ miles; thence down the ridge to Murfreesborough, $32\frac{3}{4}$ miles; thence down the channel of the Meherrin to Chowan; down Chowan to the mouth of Bennett's Creek; up Bennett's Creek to its Fork; thence by a canal to strike the west end of the White oak marsh Spring Canal; thence along said Canal to the Dismal Swamp Canal, and thence to Norfolk.

The only part of this route presenting obstacles to navigation that requires any serious labor or expense to remove them, is situated between the Roanoke and the Meherrin, and between the Fork of Bennett's Creek and the Dismal Swamp Canal. We commenced our operations upon the latter ground; for, unless that part of the route was practicable, all the labor bestowed upon the examination of the former would be thrown away. The whole distance from the Fork of Bennett's Creek to the Dismal Swamp Canal is sixteen miles and three-quarters; the highest point of the dividing ridge between the Canal and the Creek is 34 feet $7\frac{3}{4}$ inches higher than the latter, and 10 feet higher than the surface of the White Oak Spring Marsh, from which there is a gentle and gradual descent to the Dismal Swamp Canal. It is evident the Canal cannot be supplied with water either from Bennett's Creek or from the Dismal Swamp Canal. Some other resource must therefore be resorted to. Very near the dividing Ridge is situated a mill-pond six miles in length and three feet average depth, called Powell's Pond. As this Pond was the only source to feed the Canal, its adequacy very naturally became the subject of strict enquiry with the Commissioners. We were informed by the most intelligent persons in the neighborhood, that it was highly probable that there would be a deficiency of water after long spells of dry weather in mid-summer. But the Commissioners are of the opinion that if the dam to the pond was removed one mile lower down, to White Oak Marsh Spring, which is ten feet lower than the site of the present dam, than the quantity of water would be so greatly augmented as to remove all grounds for any reasonable fact about a deficiency. The surface of this pond is four feet four inches and a half lower than the dividing ridge, which is only one-half of a mile across, viz: it is only one-half a mile from the Levee on one side to the Levee on the other. This part of the route is through a very level country, and free from stone. The greatest difficulties in the scheme occur between the Roanoke and the Meherrin, but all these will yield to an application of a small portion of the immense resources of the country interested in it. The cost of this part of the work is estimated at \$641,512. The Canal, between the Fork of Bennett's

Creek and the Dismal Swamp Canal, is estimated at \$120,000, so that the whole expense of the work will amount to \$761,512.

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When any man, or society of men, have any particular scheme in view from which they expect to derive a profit or save themselves an expense, before they determine to undertake it, they ought, in the first place, to know that it is practicable; in the second place, to ascertain their ability to execute it; and, thirdly, to be well assured that the benefits resulting from its success will amply compensate them for the expense. That it is practicable, the Engineers have most unequivocally expressed their opinion.

Of our ability to execute it, we may be thoroughly convinced by comparing the resources of the country with the estimated expense of the work. For the sake of illustration, we will divide the whole sum supposed to be necessary, among the Counties known to be interested. There are forty Counties in North Carolina and Virginia interested in this scheme, besides the Borough of Norfolk; these Counties contain on an average at least 400 freeholders each, making 16,000 freeholders; add to this 6,000 for the Borough of Norfolk, making in all 22,000 freeholders. Divide the sum of \$761,512 by the 22,000 freeholders, and the quota to be apportioned to each freeholder will be less than thirty-five dollars. Compare the certain benefits with the estimated expense. Dan and Staunton River Low Grounds sell for only fifty dollars per acre, when James River Low Grounds, not at all superior in quality, sell for one hundred, and, in many instances, one hundred and fifty dollars per acre. The only reason for this difference in price is, that on James River they possess the advantages of Navigation, of which we are destitute on the Roanoke, so that in the catalogue of benefits we are first to mention the augmentation of the price of our Lands by one hundred per cent. 2ndly. The saving of more than one-half the expense of the transportation of our produce to market. 3rdly. The advantage it will give us of cultivating at our option, a crop of grain or Tobacco. 4thly. The creation of a valuable property consisting of the Stock of the Company, which has no existence at present. The James River Stock is supposed to be the most valuable property in the State of Virginia, and we have no doubt, that as much produce would be conveyed to the Ocean by means of the Roanoke Canal, if it were completed, as is now carried down the James river Canal. It will pass through a country bounding in various valuable staples. It will convey to market the following articles, with many others, to an immense value, viz.: Juniper and Cypress Shingles, Lumber, Fish, Tar, Turpentine, Cotton, Indian Corn, Wheat, Tobacco, and Hemp.

That so great and noble a River, watering such an extensive and fertile country, should be of no use for the conveyance of Produce to market is the bitterest sarcasm that can be pronounced upon the industry

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and enterprize of those who are interested in rendering it navigable. Therefore, having ascertained what we conceive to be the best route for the canal, and having estimated the probable expense, and believing, as we do, that the scheme is practicable and ought to be undertaken, we have proceeded, in obedience to the acts of the Legislatures of North Carolina and Virginia, to apportion amongst the Counties named in the Acts and the Borough of Norfolk their respective proportions of the Sum to be raised.

All of which is respectfully submitted

By your obedient Servants,

WILLIAM E. BROADNAX,
EATON PUGH,
FRANCIS JONES,
GEORGE NEWTON,
EDWARD C. CARRINGTON.

To Wilson Cary Nicholas, Esq., Governor of the State of Virginia.

*The above paper bears no date, but being found with those of the year 1816, have given it that date.—ED.

JOHN WOOD TO THE GOVERNOR.

Dec. 1

Agreeable to your desire, I give to you such ideas as occurs to me in regard to the most proper places which ought to be selected to have the Latitude and Longitude thereof ascertained in order to execute a correct chart of the State of Virginia.

The places or points best selected for this purpose, are either those which population has rendered conspicuous, or nature marked out in some prominent manner. With respect to the first, I am of opinion that if the Latitude and Longitude of the Court House of each County in the State were correctly ascertained, that a tolerable correct chart might be made, without any other aid than those charts which are already in existence, together with information collected from the several surveyors. In regard to the latter, I think the places to be chosen are the most remarkable stations on the principal Rivers and Mountains. For example, in those rivers which run towards the Sea-coast, I would have the Latitude and Longitude of the mouths found, at the falls, at tide water, and at the intermediate points between their mouths and their falls, as also the Latitudes and Longitudes of the most remarkable points towards their sources. If this arrangement be deemed too extensive, and the number of points greater than may be thought neces-

,I have made out the following list of places which appear to me to be the best calculated for this purpose. 1816.
Dec. 1

suppose the State of Virginia to be divided into three sections parallel to the Coast. The first may be termed the River and Coast section; the second, the Mountain Section; and the third, the Western section.

River and Coast Section.

1. Places on the Potomac to be ascertained in regard to Latitude and Longitude: 1st, Alexandria; 2d, Aquia; 3rd, Nomini Bay; 4th, Point Comfort.
2. Places on the Rappahannock: 1st, Fredericksburg; 2nd, Urbana; 3rd, Wind-mill Point.
3. Places on York River: 1st, Junction of Pamunkey and Mataponi rivers; 2nd, Town of York; 3rd, Toles' point.
4. Places of James River: 1st, Richmond; 2nd, City Point; 3rd, Mouth of Chickahominy; 4th, Light House on Old Point Comfort.

Mountain Section.

TOWNS.					COUNTIES.				
1st.	Morgantown,	-	-	-	in	-	-	Monongalia.	
2d.	Clarksburg,	-	-	-	"	-	-	Harrison.	
3d.	Beverly,	-	-	-	"	-	-	Randolph.	
4th.	Lewisburg,	-	-	-	"	-	-	Greenbrier.	
5th.	Fincastle,	-	-	-	"	-	-	Botetourt.	
6th.	Christiansburg,	-	-	-	"	-	-	Montgomery.	
7th.	Greensville,	-	-	-	"	-	-	Grayson.	
8th.	Romney,	-	-	-	"	-	-	Hampshire.	
9th.	Moorfield,	-	-	-	"	-	-	Hardy.	
10th.	Franklin,	-	-	-	"	-	-	Pendleton.	
11th.	Warm Springs,	-	-	-	"	-	-	Bath.	
12th.	Court House,	-	-	-	"	-	-	Franklin.	
13th.	Martinsville,	-	-	-	"	-	-	Patrick Henry.	
14th.	Courthouse,	-	-	-	"	-	-	Pittsylvania.	
15th.	Martinsburg,	-	-	-	"	-	-	Berkeley.	
16th.	Winchester,	-	-	-	"	-	-	Frederick.	
17th.	Leesburg,	-	-	-	"	-	-	Loudoun.	
18th.	Warrenton,	-	-	-	"	-	-	Fauquier.	

Western Section.

CONSPICUOUS PLACES.					COUNTIES.				
1st.	Wheeling,	-	-	-	-	-	-	Brooke.	
2nd.	Marietta,	-	-	-	-	-	-	Wood.	
3rd.	Point Pleasant,	-	-	-	-	-	-	Mason.	

1816. Dec. 1	CONSPICUOUS PLACES.	COUNTIES.
	4th. Charleston, - - - - -	Kanawha.
	5th. Mouth of Sandy River, - - - -	Do.
	6th. Cumberland Gap, - - - - -	Lee.

The only necessary equipage in order to accomplish this undertaking, would be a good reflecting or acromatic Telescope, of sufficient power for ascertaining the Eclipses of the Satillites of Jupiter in order to obtain the Longitude, and a good Sextant for ascertaining the Latitudes.

The most convenient way of travelling for the conveyance of these instruments, would be in a one horse carriage, and a servant would be the only necessary attendant.

As I must incur considerable expense by remaining idle until I can prosecute the remainder of the survey, it would be desirable if it met the approbation of the Executive that I should be employed in the business of Latitudes and Longitudes, which also would facilitate the operations of the several Surveyors, as no correct chart even of the rivers can be executed until the position of the principal points can be first ascertained.

I am, &c.

WM. H. MERIWETHER TO THE GOVERNOR.

Dec. 4,
Albemarle

In compliance with the request in your letter of instruction, I shall in this letter give you an account of my proceedings in surveying since the 19th of November, when I commenced at the first fork of the Rivanna above Charlottesville. After measuring each fork above the junction with the chain, and the river below that point by a base line and angles, we proceeded down the right bank of the river with the compass and chain; not confining ourselves to the edge of the water, but running right lines of considerable length, sometimes leaving the River from 10 to 20 poles, and always measuring that distance by offsets. We went the first day as far as Lewis' Ferry, where we measured the width of the river by the ferrying rope, and found it to be 12 poles or 66 yards. At More's Creek we crossed to the left bank, returned to the right at Milton, and crossed again just below to the left, on which side we surveyed to Columbia, excepting about five miles; always taking the width of the river where we crossed it. On the 27th of November we crossed to the point between the Rivanna and Fluvanna or James River, taking the width of each, and going up the north side all the way, arrived at Warren on the first of December, where our progress was interrupted the next day by a fall of snow, and we returned home, intending to resume our operations upon the Northanna, if the weather should moderate before the close of the year.

In making this survey, I have passed no bridges, but have noted all
es, ridges of mountains, and corners of Counties, except that between
berland and Buckingham, of the situation of which I could not
my information until it was passed some distance, but intend going
hereafter and ascertaining its portion of the width of the river.

1816.
Dec. 4,
Albemarle

I have noticed all creeks to which the neighbors had assigned any
e, measuring those on the side surveyed, and those on the opposite
where large, but where small on account of the difficulty of cross-
the river, noting their widths agreeably to the best information I
I obtain.

In your letter not containing any information as to Islands, I concluded
only one channel of the River was to be surveyed where they
red, and endeavored by noting the upper and lower end and taking
bearings of some tree on the opposite side where the Island was
ed, to enable myself to lay it down with tolerable accuracy. But
I got to the Seven Islands, they were so numerous, so large, and
tuated one behind the other, that I found it impossible to delineate
by the same means, and thought of entering upon them and survey-
one side so as to lay down the other channel of the river; yet as
were omitted in your letter, and my directions were to survey only
side of the river, it appeared most prudent not to do so. As the
difficulties may occur hereafter, it would be gratifying to know
her it was the intention of the Executive that both channels of the
should be surveyed around large Islands, or that the omission was
tional, and a survey of one channel only was expected.

I am, &c.

GRIFFIN STITH TO THE GOVERNOR.

Accepting a Commission, in pursuance of an appointment by the
l Assembly, as Judge of the General Court.

Dec. 14,
Southamp-
ton

EDMUND PENDLETON GAINS TO THE GOVERNOR.

I have the honor to acknowledge the receipt of a letter from your
anguished predecessor, Governor Nicholas, enclosing resolutions of
General Assembly of Virginia, testifying their approbation of my
uct in the defence of Fort Erie, and presenting their thanks to my
nt associates in Arms during the campaign of 1814, for the noble
ner in which they sustained the Military character of their country.
e gratification derived from contrasting the present state of our
try with the past, of witnessing and participating in the blessings
onorable peace, compared with the evils which preceded it, is to

Dec. 22,
Richmond

1816.
Dec. 22,
Richmond

me a sweet and able recompence for the privations and toils of war; but when to this the General Assembly of my native State generously add the unanimous offering of one of the highest tokens of honorable applause that the Legislature of an independent people can bestow, or a soldier or citizen receive, I feel myself under the obligation which no service that I have rendered, or can render to my country, can remove.

Permit me, Sir, to offer to the General Assembly, through your Excellency, the slender tribute of my sincere and grateful thanks for the very honorable notice they have taken of the gallant officers and men with whom I had the good fortune to meet the Enemy.

I deem it proper to observe that the nature of my movements, during the last summer, deprived me of the pleasure of receiving the very handsome and complimentary letter of his Excellency, Governor Nicholas until the latter part of August last, since which time, my absence from my command added to the *particular occasion of that absence* has prevented my attention to this subject at an earlier period.

I am, &c.

JAMES SMITH TO THE GOVERNOR.

1817.
March 26,
Baltimore

Enclosing his official Bond as Vaccine Agent for the faithful distribution of genuine Vaccine Matter to the Citizens of Virginia, in the penalty of Two Thousand Dollars, dated March 22nd, 1817.

NATH'L H. CLAIBORNE TO THE GOVERNOR.

April 2,
Cumberland

Resigning his seat in the Privy Council of State from date of letter.

GEO. BOMFORD (LT. COL. ORD'CE) TO THE GOVERNOR.

April 15,
Ordnance
Department
Washington
D. C.

Unavoidable circumstances having delayed the settlement of the accounts of the arms and Equipments between the United States and the State under your Excellency's government agreeably to our intimation of September last. I have now to apprise your Excellency that measures will be renewed by direction of the Depart. of War, for the attainment of that object, and an officer of this Department in the course of a few weeks, designated to give to it his exclusive attention until the account shall be adjusted.

In the mean time it is advisable that your Excellency would be pleased to cause to be furnished to this office, accounts of such arms and accoutrements as have been received from, or delivered to the United States

by your State since the annual appropriation by Congress, passed in 1808, "for arming and equipping the whole body of the Militia," stating the balance which your accounting officers may infer remains due, in order that they may be compared with the papers and accounts which may be received by this Office from the Department of War, and a complete and current adjustment be effected to the close of the year 1816.

1817.
April 15,
Ordnance
Department
Washington
D. C.

In cases where it may be found that a balance remains due from the United States, this Department is fully prepared, and will be very desirous to deliver the same without delay.

The department of war has also decided that where a State shall prefer receiving a part of its quota of arms in Artillery, one third of the value thereof may be so furnished, on an intimation to that effect being expressed by the proper authorities.

In this event it will be requisite that the State should designate at the same time the kind or description of Ordnance, and Ordnance equipments which it would select.

By order of the Depart. of War.

I am, &c.

JOHN WOOD TO THE GOVERNOR.

I arrived here yesterday after having completed the survey of the Pianketank and one side of the Rappahannock from the mouth at Stin-gary point to this place.

June 23,
Fredericks-
burg

I set out again to-morrow to survey the opposite side, and shall report to you the particulars when I arrive at Urbanna.

According to my instructions, I was ordered to survey the Pianketank to the line of Essex, but I found the Pianketank terminated at the Dragon Swamp, and as nothing is mentioned respecting the Survey of this Swamp, I thought it best to defer going farther in that line until I informed the Executive. After having finished the survey of the Rappahannock, I shall go to the Chickahominy, which, when I have surveyed, I shall proceed to Richmond previous to my commencing the other rivers, by which time I hope the Executive will have determined whether or not I am to survey the Potomack. I have not yet heard what plan you have agreed upon respecting the chart of the State.

So soon as you publish your views on that subject, I shall take the liberty of sending you proposals.

I am, &c.

DAVID ROBERTSON TO THE GOVERNOR.

1817.
July 13,
Petersburg

Announcing the death of Judge Griffin Stith, of that circuit, and recommending Mr. Archibald Thweatt to fill the vacancy occasioned thereby.

C. W. GOOCH (C. S. O.) TO THE GOVERNOR.

July 21,
Ordnance
Department
Richmond

I have made enquiries and endeavored to obtain information relative to the accounts between the Ordnance Department of the United States and the State of Virginia. The result is that no arms and accoutrements have been received by Virginia from the United States since the passage of the act of Congress of 1808 for arming and equipping the militia.

The arms, &c., which were furnished at the request of the Secretary at War to the Detachment of our Militia which served in the N. W. Army, already form an item in our accounts against the United States, and is probably adjusted by this time. I am not informed of any other issue of arms to the United States except to the Militia who were in the service of the General Government, *and stationed within the limits of Virginia*, nearly all of whom were armed by the State.

The commanding General at Norfolk frequently made requisitions on the Executive for troops, and desired they should be completely armed and equipped. They were accordingly armed by the Commandants of Regiments with the arms which had been previously distributed. Upon the discharge of many of the men who had to pass this place on their return home, they were ordered to bring their arms with them, and to deposit them in the armory. The arms thus returned were generally in bad order, and had to be repaired at the armory. Some detachments of men on their march to Norfolk and other military posts in the occupancy of the United States, were armed with new muskets as they passed here.

The circumstance of there being no ordnance Department during the war, renders it impossible for me to ascertain the number of arms issued to troops in the U. S. service, or to tell what number was *returned*. I had hoped to give this information from the Books of the Armory, but upon application to the Superintendent, he informs me that whilst he can tell to what officers arms were issued by orders from the Executive, and by what officers they were returned, he is unable to say whether these persons were in the service of the United States or of the State. The Journal of the Executive will no doubt throw much light upon the subject.

There can be no doubt of the justice of our claim upon the Government of the U. S. for the repairs done in the Armory to the arms which were injured in their service. Their liability to pay for such as were lost or totally ruined in their service, is equally clear if the number could

ascertained. But neither the number repaired or lost for which the S. are liable, can be ascertained with any sort of exactness. The amount of repairs cannot be less than twenty thousand dollars. These difficulties result from the want of proper staff departments during the war.

1817.
July 21,
Ordnance
Department
Richmond

Whatever assistance I can afford the Executive by reference to the documents in the Adjutant General's office likely to assist in the inquiry, shall be rendered with great pleasure.

Before I conclude this letter, I beg leave to remark that the propriety of receiving *money* from the U. S. in lieu of the arms intended for the Virginia Militia, is perhaps worthy the consideration of the Executive. If the U. S. will agree to this commutation and keep the arms themselves, paying to us *what they cost them*, we can supply the Militia of this State with the number intended to be placed in their hands, at an expense of not a stand less than we shall receive from the U. S. Besides the 4 dollars a stand which we shall gain by this arrangement, the arms in the hands of our Militia will be all of the same calibre and general description, and if at any future day our militia should serve either with the troops of the U. S. or with the Militia of other States, and their arms could be mixed, which must necessarily be the case in many instances, the same facility will exist as at present in distinguishing *ours* from *theirs*. On the part of the United States I apprehend there can be no difficulty in acceding to this proposition, as our arms are as good as theirs, and will save to them the expense of transportation, delivery, &c.

I am, &c.

JOHN WOOD TO THE GOVERNOR.

I wrote you from Hampton that I had completed the survey of York River. Since then I have surveyed that portion of the Bay Shore between Cape Henry and North River.

August 23,
Baltimore

I arrived here to-day in the steamboat from Norfolk with the design proceeding to Alexandria in order to commence the survey of the Potomac and finish the remainder of the Bay shore. I think it proper at this time to address you my sentiments in regard to the survey of the State.

Some weeks previous to the appearance of the order of Council of the 1st of June relative to this subject, I gave in to the Executive certain proposals for the survey of the State. These proposals I am still willing to adhere to; but as they do not embrace every point proposed in the advertisement of the Executive, I shall now add that I am willing to complete a survey of the State of Virginia in the period of four or, at most, five years, in the manner set forth in the order of Council of the

1817.
August 23,
Baltimore

21st of June, for the sum of fifty thousand dollars, after deducting therefrom the sum which will be expended by the contracts already entered into for surveying the rivers. After thus deducting, I presume the sum of forty thousand will be left for the said survey. But I beg leave to state the following exceptions in the work to be performed: In place of plumbing the chain, which would be attended with inconceivable labour and expense without producing a greater accuracy, I shall give the horizontal measurement from calculation. I feel also some hesitation in giving security for three times the amount of the sum to be paid. I have no objections to proceed in the mode I do at present, or to give security for whatever sums the Executive may advance. On this point, however, I have no doubt a satisfactory arrangement may be made in a personal interview with the Executive.

There are some other — of trifling consideration, which I can more easily explain in a personal conversation, than by letter. I take the liberty, however, to suggest that I would prefer making a contract for the whole State by the mile, upon the following terms:

For the Boundaries of Counties, the survey of mountains, rivers, and creeks, two dollars per mile, and for all public roads, one dollar per mile. This mode of compensation, I am confident, would be the most equitable both for the public and the contractor. As I propose to be in Richmond about the 20 of September, previous to which time I presume the Executive will not decide upon the several proposals that may be returned, I think it unnecessary to state more particulars at present.

I am, &c.

C. W. GOOCH (C. G. O.) TO THE GOVERNOR.

Sept. 20,
Richmond

In compliance with an advice of Council of the 24th of July, I have had several interviews with Lt. Phillips, the Agent on the part of the United States for settling the claim of Virginia for her quota of the arms due under the appropriation of Congress of 1808. And as no arrangement has yet taken place, I have considered it my duty to state the cause of it to the Executive.

Lieut. Phillips contends that *issues of arms have been made* to the State under the Act of Congress alluded to, the vouchers for which he did not bring from Washington, as he expected entries had been made of them in some department of the State Government to which reference could be had. Upon applying to the public offices where such entries were likely to have been made, I found no evidence that arms had been received from the United States under that act or any other act of Congress, and that the arms and munitions of every kind furnished by the State to the United States, had been charged to them, and are embraced in the

1817.
Sept. 20,
Richmond

accounts now in train of Settlement at the War Office. Of course there is nothing left for me to do in pursuance of the advice of Council but to settle the State's claim for its quota of arms under the act 1808. What sum will be due us I have not yet ascertained, and can not do so without reference to the adjustment or apportionment made by the Secretary at War with which it seems Lt. Phillips is not furnished.

The *price* of the arms, and the number of Militia in each State and territory are the only data by which this apportionment can be made, so the *statement* of the account must necessarily come from the General Government.

I informed Mr. Phillips, at an early period, of the necessity of his obtaining a statement of the account, with proper vouchers supporting charges for Arms issued to the State. His application to the Finance Department for these documents, he states has not as yet been successful in consequence of the deranged state of the papers in some of their public offices at Washington. Virginia has adopted extensive and successful measures to Arm her Militia, and was called on several times during the late war to furnish Arms for the service of the United States. These considerations, united with the statements received from the public Officers of the State, authorized me to question the facts of issues having been made to the State, under the Act of 1808. If they were made to our Militia, who were called into the services of the U. S. for the defence of Maryland and the District of Columbia, they *cannot* be chargeable to the State as part of its quota under the Act of Congress.

In a former letter, I submitted the propriety of receiving *money* in lieu of *Arms*, if such an arrangement could be effected. Although not directed to propose any such commutation, the views of the United States Ordnance Department on this subject have been obtained. The Commissary General would not agree to such a proposition if made, because the appropriations of money for the use of his department, could not be applied in this way by him. I apprehend that the War Department is fully competent to make such an arrangement. It would be to the advantage of both Governments, in as much as the State could be enabled to furnish the Arms upon *better terms* than individuals, either by sending the operations of the Armory, or by taking the number from arms already manufactured. Should favorable propositions be made to the War department, I have no doubt of their being accepted.

Considering the United States liable for the cost of repairing the arms of the State, which were injured in their service, I intimated to Mr. Phillips that as soon as it could be done, an account would be rendered for *repairs* and *Arms lost* in their service. Shortly afterwards, I informed me he had written to the Ordnance Department on the subject, and received for answer an acknowledgement of the liability of

1817.
Sept. 20,
Richmond

the U. States for repairs and losses. Since I had the honor of mentioning this subject to the Executive in a former communication, I have adopted measures to collect the evidence upon which the Account is to be bottomed. But circumstances render it impossible for me to ascertain the actual amount due the State under these heads. Some time must necessarily elapse before the Account can be in a state of readiness to be presented.

I am, &c.

JOHN WOOD TO THE EXECUTIVE COUNCIL.

October 20,
Richmond

I herewith lay before you charts of York River, from the mouth to West Point; the Virginia side of the Potomac, from Alexandria to Smith's Point, at the mouth of the River; the Bay shore, from Lynhaven Creek to North River, and from Smith's Point to Windmill Point, at the mouth of the Rappahannock. Those parts of my Contract which remain to be surveyed, are the Chickahominy, the Mattaponi, the Pamunkey, North River, and about twenty miles of the Bay shore.

I beg leave to state that my expenses in surveying the Bay shore and of the Potomac having much exceeded my calculation, I am under the necessity of applying for the advance of \$350 to complete the remainder of the rivers. This, I trust, will not be deemed unreasonable, as the number of miles I have surveyed, of which I have given in the charts, accompanied with an account of the several courses and distances, amount to 878 and 1329 yards, the allowance for which is 1757 dollars, and as I have received 1450, the balance in my favor is \$307.

The difficulty in Surveying the Bay-Shore arises from the impracticability of going along in a row-boat, unless in a calm, and when the wind is blowing off shore. I found it impossible to average more than $4\frac{1}{2}$ miles per day, during which time my expenses for a sloop boat, hands, and chain-carriers were \$12 per day. Having only one side of the Potomac to survey, I had also to pay for the boat and hands for their return from the mouth of the river to Alexandria.

Previous to the 1st of September, I transmitted to Governor Preston my proposals for the survey of the State. As relates to that subject, I beg leave to request that previous to the Executive coming to a conclusion in regard to the survey of the State, I may be indulged in a personal conference with you, as there are a variety of points and particulars which require to be understood, and which cannot be well explained by letter. In the event of my engaging in the general survey of the State, I shall relinquish my engagements as an instructor of youth and devote myself to that object alone.

I am, &c.

JOHN PURNALL (B. G.) TO THE GOVERNOR.

I beg leave to tender to you my resignation of the Command of the 11th Brigade Virginia Militia.

1817.
Nov. 24

You will please accept assurances of my highest regard.

I am, &c.

JOHN CAMPBELL TO THE GOVERNOR.

Resigning his appointment as a member of the Executive Council conferred by the General Assembly of Virginia.

Nov. 24

BENJ'N W. S. CABELL TO THE GOVERNOR.

He sets forth the advantages to be derived by the section around Danville by the improvement of the navigation of the Roanoke River and its branches ; and by the establishment of a Bank at Danville, for both of which the aid of the State is solicited :

1818.
Jan. 15,
Richmond

To the Honorable the General Assembly of Virginia :

The Petition of sundry Inhabitants of the Town of Danville, in the County of Pittsylvania, and others, Humbly Showeth,

That the Counties watered by Dan River has been hitherto compelled to seek a distant market for its valuable products in the towns on James River, incurring thereby an expense of land carriage, which has excluded almost every commodity but tobacco, and has greatly diminished the profits of cultivation in that article. That by the means of enterprise of individuals, aided by legislatures of this Commonwealth and of North Carolina, a canal at the Great Falls of Roanoke has been projected and undertaken, by which an uninterrupted water communication will be effected to Norfolk, our best scite for foreign commerce. It is easy to see that this facility of transportation which will be thus afforded to the extensive country intersected by the Roanoke and its waters, will be of incalculable value in saving the labor of men and horses ; in bringing land into cultivation that is now unproductive ; in introducing ameliorating system of husbandry in place of the sloverly and wasteful culture now in use, and in adding to the population, wealth, revenues, and power of the State. But until this desirable work is completed, it has been ascertained by some recent experiments that the navigation of the Dan and the Roanoke now in its present imperfect state, can be used to great advantage. The course of transportation at present

1818.
Jan. 15,
Richmond

pursued, is by batteaux carrying from six to eight hogsheads of tobacco from the upper parts of the river to the Great Falls, thence by wagons along a firm smooth road for eight miles to the foot of the Falls, and thence by small vessels of about forty tons burthen, down the Roanoke, across the Albemarle Sound, through the Dismal Swamp Canal to Norfolk. The expense of transportation by this route is considerably less than that which is often required to send it to an inferior market on James River. There is no point, your petitioners believe, which is better situated than Danville for concentrating the trade of this section of Country. The town is at the head of safe and easy navigation. It is low enough on the river to have an extensive back country to support it, and it is high enough not to subject that back country to too great an expense of land carriage. The great road leading from Washington to the Western part of North Carolina, South Carolina and Georgia, passes through it. The only bridge that crosses the Dan is at this place. The river-falls at the town afford excellent scites and an inexhaustible supply of water for mills and machinery. Influenced by these obvious and peculiar advantages, public opinion seems to have declared decisively in favor of this being the emporium of the upper Roanoke trade; and it is believed that more distant capitalists and adventurers have purchased property in this town and its vicinity than in all the other numerous towns and proposed scites for towns, united.

Your petitioners further show that the inhabitants of Danville, with the view of availing themselves as soon as possible of the advantages of their situation, have enlarged the limits of their town, have revived an inspection of tobacco, have applied to your honorable body for the establishment of two other inspections, and are, with other proprietors of lots, actively engaged in preparing to improve the same. That, in consequence of the additional funds required to effect these improvements, and the new prospects of trade which are now open to them, they are not provided with a capital which is adequate to the increased and sudden demand. Your petitioners have reason to think that there is a sufficient number of monied men, who, knowing the favorable position of Danville for inland trade, and interested in giving that trade every possible facility, would be ready to furnish the capital of a bank of discount that should be established by law in that town. Your petitioners humbly represent to the General Assembly that while the establishment of banks in this Commonwealth, under the salutary restrictions which have been imposed, have had a most beneficial effect in encouraging and rewarding the agriculture of the country and securing to our own citizens much of those profits of commerce which were formerly enjoyed abroad, they think that your honorable body will not withhold from their section of the State a proportion of the benefits of this

Your petitioners, guided by the rights which the experience of sections of the State has afforded them, are confidently persuaded the establishment of a bank in Danville would greatly benefit them by affording them the instrument of a ready and profitable trade; benefit the surrounding country by furnishing a nearer cash market for its agricultural products, and would benefit the State, not only by adding to the general advantages of the Roanoke navigation, but by effectually securing within the limits of this Commonwealth the advantages of the Roanoke trade. Your petitioners beg leave to suggest that Milton, a town in North Carolina, lying near Dan River, 12 miles below Danville, has entered into competition for this trade. Although it has no one of the advantages which have been assigned to Danville, yet, assisted by the prospect of a bank expected to be established there by the State of North Carolina and by the operation of local rivalry and State jealousy, it has already diverted a part of the commerce of the neighborhood from Danville, its natural market. Your petitioners need not remind the General Assembly how important it is to the wealth, revenue, and consequence of this Commonwealth to secure to its limits as much of this valuable trade as is practicable. To attain this object they believe that it is only necessary that Danville should enter the list of fair competition. Wherefore your petitioners pray that your honorable body will be pleased to pass a law establishing a bank, or a branch of some bank, of discount and circulation in the aforesaid town of Danville, with such capital and under such regulations as, in your wisdom, may seem meet, and your petitioners, as they are bound, will ever pray, &c.

1818.
Jan. 15,
Richmond

JAMES PAXTON TO THE GOVERNOR.

I have the honor to receive from the Executive, the appointment of you to the office of the Arsenal located at this place, and have accepted. I herewith transmit you a certificate of the oath of qualification, as well as the oath which I have taken.

Jan. 27,
Lexington

I am, &c.

CHARLES EVERETTE TO THE GOVERNOR.

I am grieved to resign his seat as a member of the Council of State, having been elected to it out as a candidate for the General Assembly.

March 23,
Albemarle

To His Excellency the Governor and the Honorable Executive of Virginia:

1818.
April 3,
Richmond

The undersigned physicians respectfully represent that considerable inconvenience in procuring, and uncertainty in the efficacy of vaccine matter is experienced by the residence of the agent for preserving it, out of the State, either from the distance of transportation or other causes, the vaccine scab and dry matter received by them from the State's agent at Baltimore have repeatedly failed in giving its specific infection.

The undersigned therefore submit to the consideration of the Honorable Executive whether the appointment of a resident agent in Virginia will not more effectually diffuse among its citizens the benefits of vaccination than his residence in another State, which must make a conveyance with him difficult and uncertain to many of our citizens?

The communication from Richmond to all parts of this State designate it as the place from which the vaccine matter can be distributed with most facility. From the preceding considerations it is hoped the Executive of Virginia will concur in the opinion that it is the proper place of residence for an agent who is to preserve the matter and facilitate vaccination in Virginia.

Philip Thornton, G. Watson, Jas. Lyons, W. P. Jones, Jas. Worrall, John Adams, W. Foushee, Sn'r, John Hayes, and others, recommending Doctor James Blair as vaccine agent for the State of Virginia.

JOHN CHEW TO THE GOVERNOR.

May 5,
Richmond

The enclosed memorandum will shew the state of the account between the Commonwealth of Va. and the U. S. for arms as it now stands on the books of the ordnance department at Washington.

If this subject be further investigated, it will appear that the 3,244 muskets (charged to the State in part of its quota of 7,193 stand,) were issued from the Armory in Richmond to the militia on their march to Norfolk, and after the war returned by Miles King, Esq'r, to Q. M. Genl Quarles.

I am, &c.

Proportion of arms due the State of Va.	-	-	-	7,193 stands.
Rece'd by Executive of Va.	-	-	-	3,244 Do.
Less than the proportion,	-	-	-	3,949

THOS. G. RINGOLD, Clerk.

Ordnance Office, 3 April, 1818.

J. C. CALHOUN (SCT'Y) TO THE GOVERNOR.

I have had the honor of receiving your Excellency's Letter of last month.

1818.
May 6,
Department
of War
Washington

It would afford me pleasure to enter into the arrangement which you propose, but as it appears by the report of the Ordnance department that the annual sum appropriated for the supply of arms has already been applied to that purpose, and that the arrangements made will continue in operation for several years, it is not in my power to accede to your proposal. Even if this impediment did not exist, I am inclined to think this department, without an act of Congress, would not have the power to apply any portion of the annual appropriation for arms in the manner proposed.

I am, &c.

WM. TATHAM TO THE GOVERNOR.

Extract.

I have the honor to present to the Commonwealth of Virginia the Sword which John Lewis, a grandson of Fielding Lewis, Esq'r, of Fredericksburg, and of his lady, General Washington's Sister, wore on the unfortunate evening of the 24th of August, 1814, when he lost his life, too rashly, perhaps, by charging single-handed through the main column of the Enemy in Pennsylvania Avenue, Washington, after he had killed General Ross's horse with his pistol near Mr. Gallaten's, on Capitol Hill.

July 4,
Richmond

The bond of Wm. H. Hening as vaccine Agent for the State of Virginia is filed.

July 8

ROB. SAUNDERS TO THE GOVERNOR.

I take the liberty to announce to you as the chief Magistrate of the Commonwealth, the death of Robert Nelson, Esqr., the Chancellor of this District, an event truly to be lamented on account of his great public and private worth.

July 11,
Williams-
burg

As it will devolve on the Executive to nominate a successor to the office of Chancellor of this District, now vacant, I am induced by the wishes of several connected with the Court of Chancery here, to bring to the Special notice of the Executive, William Browne, Esqr., for several years a practitioner in the Court and residing here, to fill this vacancy.

1818.
July 11,
Williams-
burg

If I was not fully persuaded of the fitness of this gentleman to discharge the duties belonging to the office, I should be very scrupulous in offering him to my county. This District can bear ample testimony of his qualifications for that office, and of his high standing and character.

I am, &c.

JOHN CHEW TO THE GOVERNOR.

August 19,
City of
Washington

In the course of the present week you may expect to hear from me fully on the subject of our claims against the U. S.

My purpose now is to recall to your view, and with your permission through you to that of the Council of Virginia, the question of compensation for my services since the 6th of May, 1817. What these services have been, those only can judge who have made trial of the difficulty of getting a subject of any magnitude through the offices here, more especially when that subject is composed of a vast mass of accounts, every *item* of which is to be vigorously scanned and compared with its vouchers; and when the progress of that subject too is opposed by rival subjects, which are pressing on the attention of the Officers, and have more attraction because they are more easy of adjustment. The Executive will know how long I have been exclusively devoted to the Settlement of those accounts, and how laboriously and faithfully devoted. I hope the fruits which the State has reaped from my exertions will sufficiently prove. I can say without boasting and with the most perfect truth, that I have saved to the State several hundred thousand dollars, which would have been lost but for a vigilance and persevering toil and labour to which few persons circumstanced as I was, would have submitted.

The Executive I understand have had some difficulty in deciding upon an account for my services from the 6th May, 1817, to the 16th of October. It has been intimated that it would be more proper and equitable that the expenses attending the collection of the balance due for expenditures during the late war should be defrayed out of the sums reimbursed, and with the view of bringing forward that question, I have stated an account charging half only of the customary commission in lieu of my monthly pay and emoluments. May I beg the favor of you, Sir, to lay this account before the Council, and to obtain an early decision upon the subject for my guide. I will barely add that if the amount of Commission should strike the Council as being too great, there is no prospect of my receiving anything further; since after the fruitless and often repeated exertions to procure the remaining vouchers from the Staff Officers, there is no probability of my obtaining a further reimbursement from the U. S.: the commission therefore is to be considered

not as a compensation for the *past* only, but for the *uncertain future period* in which I may be engaged in closing the suspended accounts which will hereafter form a separate business, and although the amount of the commission at first view may appear to be larger, yet I flatter myself that it will lose that character when it is weighed against the services for which it is charged, and the profits of these services to the State of Virginia.

1818.
August 19,
City of
Washington

I am, &c.

The State of Virginia,

1818.	In Account with John Chew,	Dr.
July 1st.	To my pay and emoluments from the 6th of May to the 16th of Oct., 1817, per account submitted to the Executive,	\$1,001 80
Aug. 15.	To my check on the Bank of the U. S., Phil'a, in favor of Gen'l John Preston, Treasurer,	146,500 00
Do	Commission on 150,000, at 2½ per cent., in lieu of monthly pay and emoluments since the 16th October, 1817,	3,750 00
		151,251 80
1818. July 1.	By amount received of the U. S. for warrant in my favor.	150,000 00
		\$1,251 80

E. E.

JOHN CHEW.

JOHN CHEW TO THE GOVERNOR.

Agreeably to your verbal request, I solicited of the War Department an order for the transportation and delivery of 7,193 Stand of Arms, due for the Quota of the State of Virginia, under an Act of Congress passed the 23rd of April, 1808.

October 9,
Richmond

The subject was referred to the Ordnance Department, and the enclosed papers, No. 1 and *2 are copies of the letter conveying my application and the *answer from that Department. I was afterwards informed that the distribution spoken of in that answer would not be made during the present season, and also learned that the Arms sent from Norfolk (per Col. King's receipt No. *3), and those issued to the Virginia Militia encamped at Ellicott's Mills in Maryland would probably appear as charges against the State of Virginia; to obviate

1818.
October 9,
Richmond

this, I deem it proper to address a letter to the Ordnance Department at Richmond covering sundry documents showing a large claim of the State for Arms as issued during the war, after crediting the number received by Col. King; a copy of that letter No. 4, and the answer to it No. *5, is also enclosed.

I am, &c.

* Not found.—Ed.

No. 1.

WASHINGTON, 26th of June, 1818.

SIR,—I am instructed by his Excellency, the Governor of Virginia, to inform you that the Quota of Arms claimed by that State, under an Act of Congress passed the 23rd of April, 1808, has not been received, and the undersigned is authorized to solicit and order for the transmission and delivery of the proportion of Arms and Military equipment to which the State is entitled under that Act.

I have the honor to be, your obe't servant.

MAJ'R CHRIST'R VAN DE VENTER,
Chief Cl'k, War Depart.

* No. 4.

WASHINGTON, 14th September, 1818

SIR,—The enclosed papers will show that the number of 3,244 muskets returned to Richmond by Col. King, and 4,493 stand of arms placed by the General Government in the hands of the militia encamped at Ellicot's Mills, in Maryland, ought not to be brought forward as charges against the Quota of arms claimed by the State of Virginia under the Act of the 23d of April, 1808.

I have the honor to be, respectfully, your obed't Servant.

J. CHEW.

* Inclosed Gen'l R. B. Taylor's letter of 30th Dec., 1815, with 5 sheets of orders relative to the disposition of arms and Camp Equipage.

* Major Jno. Staple's return for 31,406 muskets and Rifles issued during the late war.

* A Statement of arms showing a balance in favor of the State of 26,962 stand. See copy herewith.

* Not found.—Ed.

JOHN WOOD TO THE HON. THE EXECUTIVE OF THE STATE OF
VIRGINIA.

I herewith beg leave to transmit the charts of the remaining rivers
my contract, which I surveyed this summer, accompanied with a
book in which the courses and distances of the said rivers are described,
viz: The Chickahominy, the Pamunkey, and the Mattopony.* I have
also extended the chart of James River to the same scale as the others,
viz, one inch to a mile. Having had the benefit of a good Theodolite
longing to the Dismal Swamp Company, which I obtained last year
through the politeness of Mr. Newton, at Norfolk, I was enabled to take the
breadth of several parts of James River more correctly than at first, but
find, notwithstanding, the difference very inconsiderable, and my dis-
tances agreeing in general with the survey made by the United States
Engineer.

1818.
October 12,
Richmond

In descending James River this season, I also measured the land
cross at several parts, particularly at Dutch Gap and at Prisquiesle, in
order to correct the courses along the meanders of the river.

I have completed the whole survey of the Pamunkey up to Little-
ge's Bridge, as directed in my contract. But with respect to the
Chickahominy, I was only able to make a correct survey to the Window
cades, within a few miles of the Forge, on account of the obstructions
in the river, nor do I conceive it possible that in the present state of the
river a survey higher up would either be practicable or useful. As I
understand, the company incorporated to clear the Chickahominy have
engaged an Engineer for that purpose, I beg leave to submit to you the
propriety of relinquishing the survey farther than I have gone. Obstruc-
tions of a similar nature prevented me from ascending or surveying the
Mattapony higher than about 17 miles above Dunkirk, which point,
where I stopped, I was informed was only about ten miles distant from
the stage road, the Limit prescribed in my contract. I also was told
that a survey of this part of the river was in the possession of Colonel
James, of the Boling Green, and I have to request if it meets with
your approbation, to dispense likewise with the said portion of the Mat-
pony.

Inclosed is a statement of the number of miles surveyed this summer
and the amount now due me. If pressure of business prevents your
examining at present into the correctness of the Statement, I would
deem it a favor to have an order for a part of the sum.

I am, &c.

1818.
October 12,
Richmond

Statement of Miles Surveyed by John Wood in July and August, 1818.

Chickahominy, South Side, to the			
Window Shades, - - -	2,316	chains=	28 $\frac{3}{4}$ miles, 352 yards.
Chickahominy, North Side, to the			
Window Shades, - - -	2,274	Do. =	28 $\frac{1}{4}$ miles, 308 yards.
Mattopony, from West Point to			
16 $\frac{3}{4}$ miles above Dunkirk, -	4,613.40	Do. =	57 $\frac{1}{2}$ miles, 293 yards
Mattopony, 30 miles on the			
South Side from West Point,	2,400	Do. =	30 miles.
Pamunkey, to Littlepages' Brdg.			
from West Point, - - -	7,866	Do. =	98 $\frac{1}{4}$ miles, 132 yards.
Pamunkey, thirty miles on the			
South Side from West Point, -	2,400	Do. =	30 miles.
<hr/>			
Total,	21,869.40	Do. =	273 $\frac{1}{4}$ miles, 198 yards.
Sum due, \$546.			

BURR POWELL TO THE GOVERNOR.

Dec. 31,
Loudoun
County

The President and Directors of the Ashby's Gap Turnpike Company have completed the road made under their direction from the termination of the 2nd Section thereof to the Shenandoah River, and respectfully request that three skilful persons may be immediately appointed to view and examine the same, as directed by the 9th Section of the Act passed 30th January, 1810, entitled an Act incorporating, &c., &c.

They take the liberty of naming the same Gentlemen to make this examination that examined and reported on the 1st and 2nd Sections already received, viz: Frances W. Luckett and Daniel Eaches and Sam'l Singleton, and to prevent delay from the absence or inability of any one of them to act, they would suggest the propriety of naming William Fitzhugh also; any three of whom to have the power of acting in behalf of the President and Directors.

BURR POWELL,
Pres't of the Board.

1819.
Feb. 26

We, the subscribers, visitors of the Central College, having been specially called to meet on the 26th day of February, 1819, and authorized by the Act of the Legislature now in session, for establishing the University of Virginia, to continue the exercise of our former functions. and to fulfill the duties of our successors, visitors of the said University, until their first meeting, have unanimously agreed on the following opinions and proceedings:

It is expedient that all the funds of the University, applicable to the expenses of the present year, which shall remain after meeting all current and necessary purposes, shall be applied to the providing of buildings for the accommodation of the Professors, and for the food and lodging the students of the University.

1819.
Feb. 26

On the urgency of the advancing season, and the importance of procuring workmen before they become generally otherwise engaged for the winter, it is necessary for expediting the objects of the University, that measures be forthwith taken, which, if delayed until the next annual meeting of our successors, would materially retard those

On taking into view the balance remaining of the funds of the last year, of the proceeds of the glebes and of the first and 2nd instalments of subscriptions after payment shall have been made of the instalments of the same year; as also the 3rd instalment of subscription payable in April, 1820, and the public endowment of 15,000 Dollars for the present year; engagements may be entered into for building during the approaching season two more Pavilions for the Professors, One for dieting the students, and as many additional Dormitories for the students, with the necessary appendages as the said funds shall be able to accomplish; that we approve of the proposition for covering the Pavilions and hotels thereafter to be covered, and for conveying water to them by wooden pipes from the neighboring high-

Alexander Garrett, treasurer of the Central College, be continued in the dispository of the funds of the institution, with authority to execute the powers and perform the duties of Bursar of the University until further provided.

In order to meet the immediate and pressing calls for money, he be authorized to receive from the treasury of the State the sum of fifteen Dollars for the present year.

A copy of these proceedings be laid before the Governor and Council, for the exercise of the power of controul committed to them by an act of the Legislature, should they think proper to exercise the same on any part of their proceedings.

TH. JEFFERSON,
JAMES MADISON,
J. H. COCKE,
DAVID WATSON.

A copy from the original journal at present deposited with Th.

TH. JEFFERSON TO THE GOVERNOR.

1819.
March 11,
Monticello

I yesterday received your favor of Feb. 27th, covering the appointment of the 13th of the same month, with which you have been pleased to honor me as a visitor of the University of Virginia. Impressed with the important effect which well-conducted education will produce on the character and happiness of my native State, and ambitious for its reputation and prosperity, I accept the charge willingly, and will endeavor to supply by zeal, the defects of which I am sensible in the high qualifications required by an institution of such future augury.

I pray you to accept the assurance of my highest respect and esteem.

I am, &c.

C. JOHNSON TO THE GOVERNOR.

March 13,
Richmond

I had the honor of receiving your letter some days since enclosing my appointment as Visitor of the University of Virginia and a resolution of the council of State appointing the time for the first meeting of the board of Visitors.

After much hesitation and reflection, I accept the appointment with which you have honored me, in the humble hope that an anxious desire to promote the interest of the University will enable me to overcome some, at least, of the many obstacles which oppose a fit discharge of my duties as a Visitor.

I am, &c.

JAMES MADISON TO THE GOVERNOR.

March 16,
Montpellier

I have received your letter of Feb. 27th, inclosing the appointment of me as a visitor of the University of Virginia.

However indisposed to public trusts for which I am aware that every day is unfitting me, I can not decline a participation in the care of an Institution so honorable to the public councils of the State, and so auspicious to the coming generations of its citizens. Should the discharge of what I undertake be short of what may be due from the appointment, I have the reflection that a remedy will always be at hand in the choice of a successor, who though not by more zeal may in every other respect be better entitled to the charge with which you have honored me.

I am, &c.

J. H. COCKE TO THE GOVERNOR.

Your's of the 27th ultimo, informing me of my appointment as a visitor of the University of Virginia is received, accompanied with the order of Council fixing the day for the first meeting.

1819.
March 15,
Bremo

I heartily rejoice with you at the Commencement of an institution so distinctly called for by the interest and true policy of our native State.

I confidently hope your anticipations of its advantages will all be realized. Indeed when the pre-eminent talents and distinguished patriotism which a long course of public services has identified with the character of every member of the board of Visitors (with the solitary exception of myself) is adverted to, it affords a ground for the public expectation that may well arise to confidence in the auspices that will direct its commencing operation. To be associated with the members of a public body thus characterized by every attribute to make them regarded and respected, is an honor which I trust I duly appreciate, and while I express my grateful sense of the high complement bestowed on me by the Executive, permit me to add that my gratification upon this occasion is only alloyed by the consciousness of my deficient qualifications for his high and important trust.

If, however, an ardent devotedness to the honor and interest of the Commonwealth will in any degree justify your choice, you may assuredly rely that this humble qualification will never be found wanting.

I am, &c.

JOSEPH C. CABELL TO THE GOVERNOR.

I have had the honor to receive your favor of the 27th ult., enclosing my commission as Visitor of the University of Virginia, and the advice of Council fixing on the day for the first meeting of the Board.

March 17,
Richmond

In notifying yourself and the members of the Council of my acceptance of the appointment, I beg leave to make you my acknowledgment for the polite and obliging terms in which it was conferred.

I am very sensible, I assure you, Sir, of my unworthiness of this honorable appointment, yet having been called to the station by the unsolicited voice of the proper authority, my humble services shall not be withheld, and I am happy in the reflection that my own insufficiency will be compensated by the great abilities of my distinguished associates.

I am, &c.

L. SUMMERS TO THE GOVERNOR.

1819.
March 20,
Charleston
Ka.

Your very polite and friendly communication accompanying my commission as a Judge of the General Court, for the fifteenth Judicial Circuit, demands my warmest acknowledgements.

I shall take upon myself the duties assigned me with a full conviction of how much better it was in the power of the Legislature to have filled the office.

I am, &c.

Articles of agreement made and entered this first day of April, 1819, between James P. Preston, Governor of the Commonwealth of Virginia, acting for the Executive, and on behalf of the said Commonwealth, of the one part, and John Wood, of the City of Richmond, of the other part: Whereas by an act of the General Assembly, which passed the 9th day of January, 1817, entitled "an act to repeal in part an act entitled an act to provide an accurate chart of each County, and a general Map of the territory of the Commonwealth," the Executive were authorized and required to contract with one or more persons for making an accurate chart of each county, as provided for by the first section of the act entitled "an act to provide an accurate chart of each county, and a general map of the territory of the Commonwealth," which passed the 27th of February, 1816, and the said John Wood has accepted the proposals authorized by the Executive in Council, which proposals bear date the 27th of June, 1817, and engaged to perform the work thereby required, in the manner and upon the terms hereinafter stipulated.

Now these presents witness that the said John Woods, covenants and agrees to, and with the said James P. Preston, Governor of Virginia, acting for the Executive and on behalf of the Commonwealth of Virginia, and his successors in office, that he, the said Wood will well and faithfully execute the following surveys and other works, that is to say, he will make a survey of the Ohio River from the mouth of the Great Kanawha to the Pennsylvania line, and thence with that line to the top of the Alleghany Mountain; also the Little Kanawha, from its mouth to Salt Lick Creek; also the Monongalia River, from the Pennsylvania line to Buchanan's river; also the west fork; he will also lay down the outward boundary of each county, either by actual surveys thereof, or by reference to recent and authentic surveys of the same, upon a scale of 200 poles to the inch; the true positions of the corners of such counties as lie adjacent thereto, and all public roads, rivers, creeks and mountains which intersect such outward boundaries; where such intersection is by river, creek or run, the breadth thereof at the place of intersection; and when by a mountain, the foot or feet of the mountain and the

1819.

commit thereof. All mountains, rivers, or creeks that have not been surveyed or contracted for heretofore in the general survey, he will lay down and delineate with their general bearings with as much accuracy practicable, together with the exact position of all the public roads, cities, towns, Court Houses and villages in each county. He will, moreover, lay down by actual survey, the following great leading or post roads, noting the most remarkable places thereon, to-wit: from Washington to North Carolina, via Richmond; from Washington to Charlottesville, via Fredericksburg; from Washington to the Tennessee line, via Winchester, Staunton, Fincastle, and Abingdon; from Norfolk to Richmond, via Williamsburg; from Norfolk to Petersburg; from Richmond to the mouth of Big Sandy, via Charlottesville, Staunton, Warm Springs, and Lewisburg; from Richmond to Fincastle, via Lynchburg; from Richmond to the Northern Neck, via Tappahannock, and from Winchester to the Ohio River, via Clarksburg. He will moreover take accurately, by Astronomical observations, the latitude and longitude of the following places, to-wit: the Capitol in Richmond, Capes Henry and Charles, the Natural Bridge, Harper's Ferry, Point Pleasant, White Sulphur Springs, New River, where it intersects the North Carolina line, ending, and Cumberland Gap. Finally, the said John Wood covenants and agrees to make a connected map of the whole State, from the keys of the respective counties, to furnish two copies of the charts of each county to the Executive, to be disposed of by them according to law, and to complete the whole work in the space of five years from the date hereof.

And whereas by the different laws relating to the survey of the State, a sum not exceeding fifty thousand dollars is authorized to be expended in completing the same, exclusive of the expense of engraving and publishing the general map of the Commonwealth, and various sums have been paid, and contracted to be paid, to other individuals for services rendered in executing a part of the said work, and the said John Wood is willing to accept the residue of the said fifty thousand Dollars as full compensation for the services herein stipulated to be performed by him: Therefore the said James P. Preston, Governor as aforesaid, acting for the Executive and on behalf of the Commonwealth of Virginia for himself and his successors in office, covenants and agrees to and with the said John Wood to pay the whole surplus which may remain of the said fifty thousand dollars after deducting what has been paid and may be still owing on other contracts relating to the survey of the State to the said John Wood as compensation for the work aforesaid, or to his heirs, executors, administrators, or assigns, or in the event of the death of the said John Wood before the completion of the work, then such rateable portion thereof as the work done by him may be justly worth, estimating the value thereof by a just comparison of what may have been

1819. done with what may still remain to be completed. And it is expressly agreed and understood by the parties hereto, that in the event of the death of the said John Wood before the expiration of the time limited for the completion of the work stipulated to be performed by him, leaving any part thereof unfinished, his personal representatives shall not be bound, nor shall they have the right to complete the same; but the Executive of the Commonwealth shall have the power to appoint any person they may think proper for that purpose; and the said James P. Preston, Governor as aforesaid, and acting in the capacity aforesaid on behalf of the Commonwealth, further covenants and agrees to advance to said John Wood the sum of three thousand dollars so soon as the said John Wood shall have given bond and security, to be approved by the said James P. Preston, Governor as aforesaid, and acting in the capacity aforesaid, in the penalty of twenty thousand dollars, conditioned for the faithful performance of this contract, and that further payments from time to time of three thousand dollars shall be made to him as he advances with the work, and shall exhibit work of equal value to such payments from time to time, to be judged of by the Executive.

JOHN WOOD. [Seal.]

JAMES P. PRESTON, Gov'r of Va. [Seal.]

JOHN WOOD TO THE HONORABLE EXECUTIVE COUNCIL.

April 5,
Richmond

As it is my anxious desire to commence, without delay, the Survey of the State, I beg leave to request the advance of three thousand dollars, which I propose to deposit in the Virginia Bank, that I may draw from time to time, as my necessary expenses and contracts may require.

I am, &c.

WM. WIRT TO THE GOVERNOR.

April 19,
Richmond

I did not receive by mail your communication of the 31st Jan'y last, concerning the Appeal to the Supreme Court of the U. S. in the case of the Att'y Gen'l vs. Anderson, a duplicate of which you did me the honor to hand me a few days past. The hundred dollars mentioned in the order of Council of the 31st Jan'y was, I presume, offered in an entire ignorance on the part of the Council that such a fee is not received in any case in the Supreme Court except as a retainer. The fee in land causes is never below three hundred dollars, and unless the subject be of trifling value, or the party very poor, never below five hundred. This last, indeed, may be considered as the average or standing fee

of the Court; the fees being as often above as below that sum, and not unfrequently far above it. You represent the case in question as being "important to the interests of the State and involving in its issue a considerable amount"; in such a case an individual suitor could not engage counsel of any standing at the bar for a less sum than five hundred dollars, and the State of Virginia would not, I presume, expect or desire to give less than an individual for the same services.

1819.
April 19,
Richmond

I need not acknowledge to you, Sir, who so well know the facts, under how many obligations I feel myself to this Commonwealth, nor what heartfelt pleasure I should have in serving her, but I had much rather volunteer in her cause, than appear for the fee you mention, for as a volunteer I might find a reward in the honor and pleasure of the service, whereas the acceptance of a fee so far below the standard, would deprive me of that honor and pleasure without giving me the proper consolation of him who acts from a mercenary motive—the being fully paid for his services. It would subject me, moreover, to the degrading construction of underbidding my professional brethren in order to procure employment. For I repeat the assurance, that no other counsel of any pretensions to character at the bar of the Supreme Court, would appear in such a cause, for such a client, and for such a fee; and I presume that the State of Virginia would not desire my services for less than she would be obliged to pay to other counsel. More I do not ask; less I am sure she would not be disposed to offer.

In the expectation of hearing farther from you on this subject,

I am, &c.

C. W. GOOCH (C. G. O.) TO THE GOVERNOR.

I have the honor to lay before you a * report of arms, &c., with the changes which have taken place since the first of Dec. last. All the military property has been delivered to the U. S. which was ordered to be turned over to them.

June 24,
Richmond

You will see the number of arms sent to the Lexington Arsenal, and judge of the propriety of extending the order to the number originally intended, 10,000.

I am, &c.

* Report filed not copied.—ED.

J. MARSHALL TO THE GOVERNOR.

The Prisoners charged with Piracy who are to be tried at the special court of the United States to be held on Tuesday next, are here in custody of the Marshal, and can not be got into the jail. May I ask you for the permission to lodge them in the Penitentiary?

July 2,
Richmond

I am, &c.

JOHN ADAMS (MAYOR) TO THE GOVERNOR.

1819. Transmitting information of the breaking out of Yellow Fever in
August 19, Baltimore and Charleston, and desiring instructions as to the best course
Richmond to be pursued to prevent it from reaching Richmond.

THOS. T. TUCKER TO W. F. PENDLETON, ESQ'R.

August 19, Your favor of the 18th inst is received, and in compliance with your
Treas'y U. S. request, I have caused the Books of this Office to be examined, and a
Washington list to be made of the warrants that have been issued in favor of Mr.
D. C. Chew, as agent for the State of Virginia, together with a specification of
the manner in which they have been paid.

I am, &c.

Warrants issued to John Chew, as agent of the State of Virginia:

1816, Jan'y 31st, Warr'ts 3694,	-	-	-	-	-	400,000 00
Oct. 18th, Do. 359,	-	-	-	-	-	350,000 00
1817, April 21st. Do. 252,	-	-	-	-	-	250,000 00
Nov'r 14th, Do. 1,236,	-	-	-	-	-	200,000 00
1818, June 26th, Do. 2,237,	-	-	-	-	-	150,000 00
1819, May 4th, Do. 3,892,	-	-	-	-	-	48,991 19
						<hr/> 1,398,991 19

Memorandum from the Department of War.

JOHN WOOD TO THE EXECUTIVE COUNCIL.

October 25, I have the pleasure of laying before you two Maps of each of the fol-
Richmond lowing counties surveyed agreeable to my contract.

Elizabeth City, Warwick, York, James City, Charles City, Henrico, King William, King & Queen, Surry, Sussex—10.

Having expended the advance which you made to me of \$300, I beg leave to request the payment of a similar sum. Presuming you will regard the Maps now given in as equivalent work, for I am desirous of having ten more completed by the first of Jan'y next, and wish to leave Richmond without delay, for that purpose having several assistant surveyors now at work. I think proper to state that I have personally examined the lines of those counties which have been surveyed. They have been all planned immediately under my own inspection. In no one instance I have trusted to the courses and distances of another without examination. In some counties I have had it in my power to

be more minute as regards the houses of individuals than my engagement required, but I hope that in all I have furnished the particulars specified in my contract. In all works of this description, the commencement is most difficult and most liable to error. As I progress, I flatter myself that my plans will be better executed and also more satisfactory.

1819.
October 25,
Richmond

I beg farther to observe that it will be necessary to know whether or not Mr. Wyche is to finish the remaining rivers and lines mentioned in his contract, particularly the Appomattox, Elizabeth River, Nansemond, and the North Carolina Line, as it will be impossible for me to furnish you with complete plans of the Counties on the South side of James River without having these surveyed.

I am, &c.

C. W. GOOCH (C. G. O.) TO THE GOVERNOR.

Under the advices of Council on the subject, I have forwarded to the Lexington Arsenal, Ten Thousand and ninety-seven muskets, complete. The Arsenal is calculated to hold as many more. After examining the provisions of the Law establishing the Arsenal, I am satisfied that the Executive will concur with me in opinion that the additional number of 5,000 ought to be sent, and give orders accordingly.

October 28,
Richmond

From the returns I have received, there are *very few* arms beyond the Blue Ridge. I do not, however, think them correct. But in the whole section of Country, I am persuaded that more than 2,000 stand could not be collected. If this idea be correct, more than 5,000 are yet to be sent from here to give the * L. Arsenal the number required by law.

To the above considerations may be added the impropriety of retaining in the Armory such an immense amount of publick property as is now stored in that institution.

For the last twelve months, I believe, the arms have accumulated, notwithstanding 10,097 stand have been withdrawn. This is owing to the receipts from the U. States, the militia and the new arms manufactured.

I am preparing, and shall in a few weeks lay before you all the information which has been collected on the subject of the publick arms, by which you may be enabled to adopt the best measures for their preservation, or to ask for such legislative aid as may be necessary.

I am, &c.

B. W. LEIGH TO THE GOVERNOR.

The duty assigned to me by the Act of the last session, concerning the republication of the laws, as superintendent of that publication

October 29

1819.
October 29

being now completed, I beg leave to submit to the Executive, under the 4th Section of the Act above mentioned, my claim to compensation for this service.

It will be recollected, that when I undertook this work, I informed the Executive by letter, that having no accurate idea how much time and labor it would cost me, and being resolved to proportion my demand for compensation to those circumstances, I would forbear to stipulate for any reward before hand.

The work cost me five months' continual application, three of which were the busiest judicial and professional months in the year. I was withdrawn almost entirely from my profession, to my very great loss and incalculable inconvenience. I am, however, resolved to ask not only a moderate, but a mere remuneration. I lost, in consequence of this public engagement in two pieces of business alone, fees actually tendered me to the amount in one case of \$1,000, and in the other (which was not definite in consequence of my prompt and absolute refusal to undertake it) about \$500. My loss in general practice, is not capable of accurate estimation; it could not be less than \$1,000 more.

I therefore hope the Executive will think my demand of \$2,500 for compensation is quite reasonable. I can say, with great truth, it is conscientious. Nor do I trust my own judgment alone, having consulted two of the revisors of 1817 (well acquainted with the nature of the work, and one of them well acquainted with, as well as qualified to judge of its execution) on this subject, and both of them agreeing in my opinion.

I now request that an order of Council may be made directing the Auditor to issue a warrant to me for that sum, if deemed just.

I am, &c.

GEO. WYCHE TO THE GOVERNOR.

Nov. 1

I herewith tender to the Executive, a chart of Nansemond River, and also one of the remaining balance of the County Line. It will be remembered, that Nansemond River was to have been surveyed on both sides as high up as the Western Branch. The survey of this River makes 49 miles, and that of the State Line 62 miles, making in the whole 111 miles, for which, compensation is claimed at the rate of two dollars per mile; amounting in the whole to 222 dollars, all of which is respectfully submitted to your Excellency and the Council of State.

I am, &c.

ORIS PAINE TO THE GOVERNOR.

I have finished the stone wall, finished and set the coping stones, finished and set all the brace stones and have drilled all the holes to receive the iron railing and braces around the Governor's Lot, agreeable to my contract entered into with A. S. Brokenbrough on the 31st day of March, 1819, which entitles me to receive the sum of \$800.

1819.
Nov. 4,
Richmond

I shall esteem it a favor if the Council will give me an order on the Auditor for that amount. I shall be entitled to the further sum of \$300, so soon as I shall complete the sodding and planting the trees in the said lot, which was reserved in the contract to be done this fall, and which cannot with safety be done until the railing is completed, and then not until after a rain as the earth is too dry to cut turf.

I am, &c.

The Commonwealth of Virginia to P. A. Sabbaton,	Dr.	
To 3,083 feet of Iron railing, with Pillars, Tops, Spears,		
&c., for enclosing Capitol Square, and putting up same,	\$23,169	45
By Cash rece'd at sundry times, - - - -	\$17,300	
" one ton of Lead, - - - -	112	17,412 00
		<hr/>
Balance due, - - - -	\$5,757	45

Richmond, Nov. 10th, 1819.

At a meeting of the Board of Directors of the Penitentiary, on Saturday, Nov. 13th, 1819:

The Board avail themselves of this occasion to inform the Executive, that according to a statement communicated to the Board by the Keeper, about one-third of the Prisoners now confined for second offences were persons heretofore pardoned.

LEWIS S. SEWELL,
C. B.

THOS. T. TUCKER TO W. F. PENDLETON, J. M. MARTIN, R. G. SCOTT, COMMITTEE OF EXECUTIVE.

I have received your favor of the 18th inst., and not being able to detect any error in the list of payments made by this office to Mr. Chew, which was some time past transmitted to you, I sent to the 3rd Auditor's Office to request a further investigation. The result you will find enclosed, which, I hope, will prove satisfactory.

Nov. 23,
Treas'y U. S.
Washington
D. C.

I am, &c.

1819.
Nov. 23,
Treas'y U. S.
Washington
D. C.

In addition to the statement before furnished, it is found that the Pay Master General advanced to Mr. Chew, on the 7th of March, 1816, 200,000 dollars; this amount, added to the list already furnished, constitutes the whole amount.

Treasury Depart., 3rd Aud. Office, Nov. 22nd, 1819.

P. HAGUE.

The Treasurer U. S.

Dec. 4

Pursuant to a commission from his Excellency the Governor of the Commonwealth of Virginia to us directed, we report that having viewed and examined so much of the road made by the Ashby's Gap Turnpike company as lies between the termination of the second section thereof and the Shenandoah River, including two sections of five miles each, and a fractional part of a section lying between the fourth section and the river which terminates the boundary of the said road, we find the said road is executed according to the meaning of the act of assembly incorporating the said Company.

Given under our hands and seals this 4th day of December, 1819.

FRANCIS W. LUCKETT. [Seal.]

DANIEL EACHES. [Seal.]

SAMUEL SINGLETON. [Seal.]

JOSEPH L. FRY TO THE GOVERNOR.

Dec. 7,
Charleston

Resigning his seat as a member of the Council of State.

II. CLAY (S. H. R.) TO THE GOVERNOR.

Dec. 13,
House of
Representa-
tives

I have the honor to inform your Excellency that James Pleasants, Esq'r, did this day resign his seat in the House of Representatives of the United States as a member from Virginia. I avail myself of the occasion to tender to you the homage of my high respect.

I am, &c.

J. C. CALHOUN (SECT'Y) TO THE GOVERNOR.

1820.
Jan. 19,
Department
of War
Washington
D. C.

I have received your letter of the 12th inst. requesting my early attention to the 2nd Section of the law of the United States, passed the 10th Aug., 1790.

In the conflagration of the war office in 1800, all the Military records

of the Department were destroyed. The only Roll of the Virginia line on the Continental Establishment now in this Department, was subsequently derived from the archives of the State Government of Virginia. If a copy of that Roll will be of use to you, it shall be immediately transmitted.

1820.
Jan. 19,
Department
of War
Washington
D. C.

It will at all times afford me pleasure to furnish any information in my power to enable so meritorious a class of our fellow citizens as the officers and soldiers of the Revolution, to obtain their bounty lands which they have so well merited.

I am, &c.

JOHN WOOD TO THE HONORABLE EXECUTIVE COUNCIL.

I beg leave to submit to you two plans of each of the following ten counties of the State of Virginia, executed agreeable to contract: Mathews, Gloucester, Middlesex, Essex, New Kent, Amelia, Dinwiddie, Nottoway, Chesterfield, Prince George.

Feb. 4,
Richmond

In the surveys of these Counties, I have been necessarily compelled in many instances to trust to others. I have invariably selected surveys of the most respectable character, and the most reputed for their integrity; and I have also at the same time taken every means from personal observations to judge of the accuracy of their measurements. In some of the Counties I have had it in my power to insert several particulars not required in the contract, and I hope as I progress I shall be enabled to render all the plans much fuller as to information.

I have likewise embraced the opportunity of the Sitting of the Legislature, to exhibit these plans generally to their respective representatives and to other gentlemen, in order to satisfy myself of the correctness of the position of those roads and creeks which have not been measured with the chain.

I am well aware that in a work of this nature many small errors may be found, but I flatter myself none of such consequence as will reflect the accuracy of the general map.

As I am desirous to leave town as soon as possible to proceed with the survey of other counties, I have to request you will oblige me with an order for three Thousand dollars, and I hope to have it in my power to lay before you plans of ten counties more by the 1st of May next.

I am, &c.

JAS. E. HEATH TO THE GOVERNOR.

In obedience to an advice of Council requiring "a detailed statement of the amount of Interest paid by the Commonwealth of Virginia to the Bank of Virginia and Farmers Bank of Virginia on the loans obtained

March 15,
Auditor's
Office
Richmond

1820.
March 15,
Auditor's
Office
Richmond

from those Banks, the proceeds whereof were applied to advances for the Government of the United States during the late war," I now transmit to the Executive an account of the interest paid by the Commonwealth on such loans which has been prepared with as much dispatch as practicable. As Mr. Chew is now at Washington, it is hoped that no public inconvenience will result from any delay that may have taken place.

It may be proper to observe, that the Document now furnished, has been prepared in conformity to the advice of Council *in terms*; but it is obvious that the General Government will claim, and be entitled to a credit arising from the payments which it has from time to time made to the Commonwealth.

It will be for that Government, however, to present, in such form as it thinks best, a countervailing demand for interest on the sums reimbursed.

I beg leave further to remark, that the greater part of the loan of \$400,000 from the Farmers Bank of Virginia, to-wit: the sum of \$313,665.68 was appropriated to the payment of the State's quota of the United States' direct tax. I presume, that the Commonwealth would not have a fair claim to reimbursement of interest paid on that amount.

I am, &c.

Condensed Statement of the Amount of Interest paid by the Commonwealth on loans negotiated at sundry times to aid the General Government to prosecute the War with Great Britain, between Dec. 20th. 1813, and September 30th, 1819, taken from an account made up in the Office of the Auditor of Public Accounts :

To the Bank of Virginia,	-	-	-	-	-	-	\$150,259 60
" " Farmers' Bank,	-	-	-	-	-	-	67,772 42
" " Pres't and Directors of Lit'y Fund.	-	-	-	-	-	-	1,346 08
							<hr/>
							\$219,378 10

Sent to the U. S. Senators from Virginia for adjustment.—Ed.

May 25

The resignation of James Johnson, a member of the House of Representatives in the Congress of the United States from the Counties of Sussex, Southampton, Surry, and Isle of Wight, dated the 25th day of May, 1820, is filed.

H. CLAY (SPEAKER H. R.) TO THE GOVERNOR.

Towards the close of the last session of Congress a letter was received by me as Speaker of the House of Representatives from Col. Strother, a member of that house from Virginia, communicating his resignation of his seat. Amidst the hurry of business always incident to the termination of the Session, I am apprehensive that I omitted to acquaint your Excellency with the fact, though I should suppose that the publication of the Journal, in which it was announced, would be deemed sufficient evidence of it. Lest, however, that it should not, I have now the honor to give the necessary information that your Excellency may adopt such measures thereon as may appear to you to be proper.

1820.
June 5,
Lexington
Ky.

I am, &c.

Gloucester County Court, June Term, 1820:

The Clerk's office of this county, and all the records and papers therein contained, having been destroyed by fire on the night of the third instant, the following persons—to-wit: William Robins, Richard G. Morris, William K. Perrin, Mathew W. Kemp, Thomas Smith, Thomas Boswell, John Stephens, Henry N. Nuttall, and Thomas T. Tabb, are named to the Executive of this Commonwealth as fit persons to be commissioned under an act of assembly entitled "an act to reduce into one, the several acts for the relief of persons who have been, or may be, injured by the destruction of the records of certain Courts of Justice," passed March the first, one thousand eight hundred and nineteen.

Copy—Teste:

ARTHUR L. DAVIES, C. C.

JOHN WOOD TO THE HON'BLE EXECUTIVE COUNCIL.

I beg leave to lay before you two plans each, of the following ten Counties:

June 29,
Richmond

Princess Anne, Norfolk, Nansemond, Isle of Wight, Lunenburg, Prince Edward, Charlotte, Fluvanna, Louisa, Westmoreland.

The four first, viz., Princess Anne, Norfolk, Nansemond, and the Isle of Wight, on account of their numerous marshes and Creeks, in which I have been very particular, caused me more trouble, I suppose, than even any of the largest will do. The boundary lines of these, although very uncertain, were run according to the oldest marked trees, and most certain information which could be procured.

1820.
June 29,
Richmond

I have to request that you will be pleased to order me a warrant for three thousand dollars. The whole of the last sum, with the exception of a few hundred dollars, has been entirely expended in the surveys and plans of those I have laid before you. As I shall be occupied in surveying all this summer and fall, it will be the end of October before I can return the plans of more counties.

I am, &c.

JOHN WOOD TO THE HON'BLE EXECUTIVE COUNCIL.

October 5,
Richmond

I beg leave again to draw your attention to the subject of determining the scale upon which you may desire the Counties upon the west side of the Blue Ridge to be drawn, as I am at present about to commence upon some of these. It will also be necessary to fix upon the scale on which the general Map of Virginia is to be drawn, as also according to what plan it should be projected. In connecting the counties together to make out the general Map, it will be necessary for me occasionally to have the use of some of those I have returned, for although I have kept rough Draughts of all of them, yet they are not so perfect as those returned to you.

Requesting you will take these points into consideration.

I am, &c.

RICHMOND, *October 10th, 1820.*

We hereby agree to the following alterations in the scale of Maps of the Counties on the west of the Blue Ridge, as ordered by the Executive Council on the sixth instant, viz: that said Counties be plotted on a scale of 320 Poles to every inch, in place of 200 poles to the inch as specified in the contract for the survey of the State.

JOHN WOOD,

WILLIAM TAZEWELL,

His security in said contract.

JOHN WOOD TO THE HONORABLE EXECUTIVE COUNCIL.

October 27,
Richmond

I beg leave to submit to you two plans of each of the following Counties: Campbell, Bedford, Buckingham, Mecklenburg, Halifax, Lancaster, Richmond, Northumberland, Spotsylvania and Jefferson.

I trust you will find them equally correct and accurate as the others which I have returned. Although I have generally ascertained the

attitude of each of the Court-Houses which I have visited, I have declined stating it until after repeated observations at the same places, I shall be enabled to give the mean of those I have and may take in future. I have also to request you will be pleased to grant me an order for the three thousand dollars.

1820.
October 27,
Richmond

I am, &c.

J. C. CALHOUN TO THE GOVERNOR.

In answer to your letter of the 19th inst., I have the honor to state that the Government desires from the State of Virginia cession of Jurisdiction over the sites of the fortifications now under construction at Old Point Comfort and the shoal called the Rip-Raps, agreeably to the maps herewith accompanying, on which the boundaries of each are indicated by blue lines. The former commencing at the intersection of Selden's line with mill creek, extends along that line across the neck of the peninsula to the beach fronting the bay; thence at low-water mark around the beach to mill creek, and up the centre thereof to the point of departure.

1821.
Jan. 26,
Department
of War
Washington
D. C.

The latter delineates the extremity of the base of the foundation of the fortification.

In desiring the site to be extended as far as Selden's line, the Government has in view to approach as near as possible the neck of the Peninsula, and thereby to secure to themselves the right of establishing there, if necessary, the means of keeping open the communication between the fortifications at Old Point Comfort and the country without conflicting with the State or individual rights. For the ordinary military purposes, the space included within the red lines is deemed sufficient, and the cession may be made to conform thereto, should it not be thought advisable to cede the space included within the blue lines.

The Government also desires a conveyance from the State of Virginia to the United States, of the right of Property which, on the previous application, was not asked for, because as it belonged to the State of Virginia it was supposed it would accompany the cession of Jurisdiction.

I am, &c.

JOHN TYLER AND THOS. NELSON TO THE GOVERNOR.

Recommendation of Mr. Cary Selden, of Washington, as successor to Mr. John Chew, as agent of the State for the settlement of Accounts between the State and the Government of the United States.

Jan. 27,
Washington
D. C.

1821.
Jan. 27,
Washington
D. C.

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
Feb. 19th, 1821.

Resolved, That the Speaker of the House be requested to inform the Executive of the State of Virginia of the death of William A. Burwell, late one of the Representatives from said State.

Attest :

THO. DOUGHERTY,
C. H. R.

PETER RANDOLPH TO THE GOVERNOR.

Feb. 22,
Mississippi

Resigning his Office as Judge of the General Court of Virginia, on account of ill health.

C. W. GOOCH TO THE GOVERNOR.

March 6,
Richmond

Resigning the Office of Adjutant General of the State of Virginia.

JNO. WOOD TO THE GOVERNOR.

March 14,
Richmond

I beg leave to lay before you two plans of each of the following nine Counties: Orange, Madison, Fairfax, Fauquier, Culpeper, Botetourt, Rockbridge, Rockingham, Shenandoah.

I regret that, from the inclemency of the weather and other unforeseen causes, I have been disappointed in having a plan of another County to make the number ten, which I have hitherto returned at one time. But being extremely anxious to set out on the survey of the Western Counties of the State, where I shall be absent six months, I have preferred submitting to you at present the nine which I have completed, requesting you will be pleased to allow me an order for \$2,700, in place of \$3,000, which sum is in the proportion of nine to ten. I trust that this will make no difference, and that you will find those I now give in, equally accurate, if not more so, than the others I have returned.

I am, &c.

JOHN QUINCY ADAMS (SCT'Y) TO THE GOVERNOR.

March 22,
Department
of State
Washington
D. C.

The question upon the construction of that part of the first Article of the Treaty of Ghent, which stipulated that slaves should not be carried away from the United States by British Officers after the conclusion of

Peace, having been submitted by the American and British Governments to the decision of the Emperor of Russia, the British Secretary of State for foreign affairs has demanded that in the event of a decision in favor of the construction insisted upon by the United States, the full extent of the demand upon Great Britain for restitution or indemnity for slaves carried away should be made known as speedily as possible. I am directed by the President to suggest that notice should be given to the sufferers to transmit without delay to this Department authenticated copies of the numbers of slaves carried away, and of their value by the current prices at which they might have been sold at the time when the loss was sustained, specifying the name, age, sex and value of each individual slave lost.

1821.
March 22,
Department
of State
Washington
D. C.

I am, &c.

SAMUEL TAYLOR TO THE GOVERNOR.

Declining the office of Judge of the General Court of Virginia.

March 28,
Richmond

J. C. CALHOUN TO THE GOVERNOR.

In reply to your communication of the 18th Inst., I enclose a report from the Ordnance Department containing such information in relation to the plan and construction of the Arsenal near Richmond as connected with its defence.

April 24,
War Department
Washington
D. C.

The condition of the Arsenals in the Southern States, and particularly the one in question, has, for some time past, claimed the particular attention of this Department, and with the approbation of the President it has been determined, as soon as the army receives its new organization, which will be on the first of June next, to garrison each of the Arsenals in the Southern portion of our Country with a company of Artillery. The reduced scale of our military establishment will not permit the maintenance of a greater force, and I hope it may be sufficient to afford the necessary security. In the meantime special instruction will be given to the officer in command of the arsenal near Richmond to use the greatest caution and vigilance in his command. I desire your Excellency to be fully assured that it will at all times afford me the greatest pleasure to adopt such measures in this Department as may contribute to advance the interests of the State over which you have the honor to preside.

I am, &c.

1821. At a court held for the County of Southampton, the 16th day of July, 1821—

Present: Benj'n Coble, Lawrence Cooke, Jacob and William L. Everette, Gent. Justices.

Celia, a Negro Woman slave, the property of the Estate of Henry Dougherty, of the County of Nansemond, who stands convicted of feloniously murdering James Powell and America his wife, was this day again set to the Bar by the Sheriff of this county, to which day the court of Oyer and Terminer summoned and held for her trial, was continued. Whereupon came a jury of matrons—to-wit, Lucy Myrick, Peggy Rick, Elizabeth Whitehead, Peggy Wilerford, Lucy Drake, Betsey Rone, Sally Pope, Patsey Slote, Ann Beal, Tabitha Blythe, Winney Doyell, and Tenny Phillips, who, being sworn to enquire whether the prisoner be with child, with a quick child or not, upon their oaths do say that the said Prisoner is not with child. Therefore it is considered by the Court that the Judgment heretofore rendered in this case, and the sentence thereupon pronounced, be carried into execution according to the terms thereof.

A Copy—Teste:

JAMES ROCHELLE, C. C.

JOHN WOOD TO THE EXECUTIVE COUNCIL.

August 14 I beg leave to lay before you two plans of each of the following eleven counties, which with those I have already returned, complete eighty: Brooke, Ohio, Tyler, Wood, Harrison, Monongalia, Giles, Bath, Montgomery, Monroe, Henry.

I regret I was obliged to suspend proceeding with several of the other western Counties until I had made a return of these, as the expenses incurred in completing those before you have entirely exhausted the sums of money I have received. This may be readily conceived when I inform you that the number of miles actually measured by the chain in the surveys of these eleven counties exceeds two thousand five hundred, including roads, rivers, &c. As my last return consisted of nine, I have given in at present eleven in order to make up the usual number. I have therefore to request that you will be pleased to allow me an order for three thousand three hundred dollars, which is not more than you allowed me for the same number of small counties. I shall next proceed to Loudoun, and afterwards to the Southwestern section of the State.

I am, &c.

1821.	Received by Mr. Alexander,	-	-	-	-	-	-	3,734 59
	“ “ Mr. Merriwether,	-	-	-	-	-	-	1,329 62
								<u>9,996 21</u>
								50,000 00
	Ded.							<u>9,996 21</u>
								40,003 79
								Received by Mr. Wood in last contract.
								<u>27,000 00</u>
								13,003 79

J. E. HEATH, Aud'r.

Aud'r Office, Nov. 30th, 1821.

ROB'T B. TAYLOR TO THE GOVERNOR.

1822.
Jan. 28,
Norfolk

Accepting the Commission of Major General of the 4th Division of the Militia of Virginia.

JOHN WOOD TO THE EXECUTIVE COUNCIL.

Feb. 4,
Richmond

I beg leave to lay before you two plans of each of the following seven Counties :

Mason, Cabell, Randolph, Hardy, Pendleton, Grayson, Loudoun.

There now only remains six counties to be returned, which I shall do by the 1st of June, and I flatter myself that the General Map will be completed by the 1st of August.

The balance at present due me on my contract is ten thousand and three dollars, of which sum I have to request you will be pleased to order me three thousand.

The above Counties have averaged me, all expenses included, about five hundred dollars, and the six which I have to return, will average the same sum. Trusting that the plans of all will give satisfaction.

I am, &c.

GORDON CLOYD TO THE GOVERNOR.

Feb. 16,
Richmond

Accepting the appointment of Major General in the Militia of Virginia, and acknowledging receipt of Commission.

JOEL LEFTWITCH TO THE GOVERNOR.

Feb. 16,
Bedford

Accepting the Commission of Major-General of the First Division of the Militia of Virginia.

THOS. T. TUCKER (TREAS'R U. S.) TO THE GOVERNOR.

Your favor of the 21st inst. is received, and I have the honor to inform you that the adjustment of claims on the United States does not appertain to this office, nor can payments be made by me but in pursuance of warrants issued by some of the Departments. Your letter, therefore, was sent to the Department of War, where the claim of the State of Virginia was adjusted and a warrant for the whole amount (Drs. 5,868.99-100) has been this day received by me. A Draft for that sum will be transmitted to the Treasurer of Virginia by the first mail.

1822.
April 26,
Treas'y U. S.
Washington
D. C.

I regret that it could not be divided according to your desire. I am instructed that Mr. Selden must receive from the Treasurer of the State of Virginia the sum due to him.

I am, &c.

JOHN FLOYD TO THE GOVERNOR.

Accepting the commission of Major-General of the nineteenth Division of Virginia Militia.

June 10,
Montgomery

ENNION WILLIAMS TO THE GOVERNOR.

Accepting the appointment for testing the accuracy of the maps prepared by Jno. Wood, and stating his terms.

August 13,
Richmond

DANIEL MORGAN TO WM. F. PENDLETON.

Informing of the death of T. V. Swearingen, Member of Congress from the District of which Jefferson county forms a part.

Sept. 2,
Shepherdstown

JAS. E. HEATH TO THE GOVERNOR.

The unsettled accounts against the General Government have accumulated until they now amount to the sum of \$7,054 41.

October 1,
Auditor's
Office

I have deemed it necessary to communicate this information to the Executive, in order if they see fit, they may authorize, as heretofore, the papers to be forwarded to the agent at Washington by some confidential person.

Richmond

I am, &c.

P. P. BARBOUR TO THE GOVERNOR.

1822.
October 13,
Orange

Declining the appointment of Judge of the High Court of Chancery for the District of Williamsburg and Fredericksburg.

The contract entered into the 22nd day of November, 1822, between Thos. Mann Randolph, Governor of Virginia, and H. Boye, for the completion by said Boye of the unfinished work of Maps of the Counties, and also a general map of the whole State; the said Boye to receive as compensation the balance contracted to be paid to John Wood, which remained undrawn by the said Wood at the time of his death, is on file.

JOHN ADAIR (Gov. KY.) TO THE GOVERNOR.

Nov. 21,
Frankfort,
Ky.

I have the honor to inform you that the General Assembly of the Commonwealth of Kentucky has approved and ratified the Articles of convention, settled and agreed on by Henry Clay and Benjamin Watkins Leigh, Esquires, Commissioners on the part of Kentucky and Virginia, bearing date the fifth day of June, one thousand eight hundred and twenty-two, providing for the appointment of a Board of Commissioners under the eighth article of the compact between Virginia and Kentucky, an authentic copy of which act of ratification and approval is herewith transmitted to your Excellency.

In order to effectuate the objects of the Convention, the General Assembly has promptly proceeded to the choice of commissioners under the provisions of the compact, and I have now the honor officially to announce to you that the honorable Jacob Burnett, a citizen of the State of Ohio, and the honorable Hugh L. White, a citizen of the State of Tennessee, have been elected commissioners on the part of this State. I shall avail myself of the earliest opportunity to communicate to the gentlemen just named the fact of their election, and to furnish the Government of Virginia with their reply.

I am, &c.

Resolutions providing for the appointment of a board of commissioners under the eighth article of the Compact with Virginia, and ratifying the convention of the Commissioners appointed to make the necessary arrangements for constituting said board.

The joint Committee to whom were referred the letter from Henry Clay, the Commissioner appointed on the part of this State at the last

f the Legislature, to make the necessary arrangements and
ns with the Commissioner from the State of Virginia for con-
a board of commissioners under the eighth Article of the
with said State, and the convention and stipulations entered
agreed upon by the aforesaid Virginia and Kentucky Commis-
ave duly considered the subject referred, and recommend the
n of the Articles of convention, wherefore they report the
resolutions:

1822.

ed, by the General Assembly of the Commonwealth of Ken-
nat the Articles of Convention settled and agreed upon by
lay and Benjamin Watkins Leigh, Esquires, Commissioners,
er on the part of Kentucky, and the latter on the part of Vir-
ring date the fifth day of June, one thousand eight hundred
ty-two, be and the same are hereby approved and ratified.

ed, That the Senate and House of Representatives will, on
the nineteenth instant, by joint vote, elect two Commissioners
art of Kentucky, in pursuance of the convention made by
Kentucky and Virginia Commissioners.

ed, That the Senate and House of Representatives will, on
the nineteenth instant, by joint vote, elect two fit persons as
o represent the State of Kentucky before the board of Com-
s to be organized agreeably to the said convention.

d, That the Governor of this State be requested to communi-
oon as convenient after the nineteenth instant, the foregoing
is to the Executive of the State of Virginia, together with the
the Commissioners elected on the part of this State to be laid
e Legislature of Virginia.

R. C. ANDERSON, JR.,
Speaker of the House of Representatives.

YOUNG EWING,
Speaker of the Senate, pro tem.

ed November 16th, 1822.

By the Governor,

JOHN ADAIR.

ELL BRECKENRIDGE,
Secretary.

 H. CLAY (SP'R H. R.) TO THE GOVERNOR.

1824.
March 20,
House of
Representa-
tives,
Washington

I have the honor to inform your Excellency, by order of the House of R., that the Hon'ble Wm. Lee Ball, a member of that House returned from Virginia, hath departed this life, and of consequence his seat is vacated.

I am, &c.

C. JOHNSON TO THE GOVERNOR.

March 23,
Richmond

I have examined with as much care as the time and my professional avocations would allow, the papers submitted to me relative to the claim of this Commonwealth upon the United States for reimbursement of interest paid upon several loans negotiated during the late war, and the result is the clearest conviction of my mind that nothing is necessary but to make the claim clearly understood in order to render its justice obvious and the propriety of allowing it unquestionable.

I am not sufficiently acquainted with the organization of the departments of the general Government, or with the laws which govern them, to decide whether it is within the power of the Secretary of War to authorize the payment of the claims; perhaps it is not. It may be that the Government, which does not ordinarily pay interest, has not given to its executive departments any power to allow a claim which, whatever may be its real character, assumes in any manner the form of interest.

However this may be, it would probably be best that the claim in the shape in which we now place it, should be distinctly submitted to the War department, and if it be there disallowed, that then an appeal be made to the justice of Congress. I suggest this course because I believe the nature and extent of our claim has never yet been explained to any department of the general Government, and because if we go before Congress we should go with conclusive evidence that if the claim be just the law for its payment is necessary. I do it, too, in the hope that by explaining the claim to the department we shall satisfy its head that it deserves his countenance if it cannot receive his legal sanction.

I will now submit to you as briefly, and as intelligibly as I can, the view which I have taken of the extent and character of our claim.

With the very commencement of our war began the advances of this State to defray the expenses of the militia called into the service of the United States. By reference to the general orders issued by the Governor for the detail and march of the detachment ordered to Norfolk in July, 1812, and of the detachment ordered to the Northwestern frontier in September of the same year, it will be seen that he authorizes drafts on the Executive department of this Commonwealth for certain expenses

of the equipment and march to the place of rendezvous. These general orders are in pages 23 and 24 of the Journal of the house of Delegates for the session of 1812-'13.

1824.
March 23,
Richmond

On the 12th of October, 1812, these advances has amounted to \$17,751.37. On the 26th of Feb'y, 1813, to \$31,583.09, and on the 24th May, 1813, to \$94,847.88.

At these several periods accounts of these advances were presented to the war department for liquidation and payment.

A difference of opinion arose between the department of War and this government as to the principles on which these accounts were to be settled. The claims of Virginia were very ably sustained at the seat of the general government by Mr. Mercer and Mr. Campbell, charged with that duty by our Executive; and their views of the subject, with a statement of the points in difference, and of our accounts furnished, will be found in the Journal of the House of Delegates for the session of May, 1813, from pp. 13 to 36. This government maintained the simple and, one might have said, the self-evident proposition that the Government of the United States was bound to defray all the expenses attending the militia called out for their service, while the war department of that government held that a part of them should be borne by the States. The discussions upon this subject left the principles uncertain on which the accounts were to be adjusted, and left the accounts themselves unsettled and unpaid. They did not, however, leave unsettled the principles which governed this Commonwealth from the moment when the declaration of war proclaimed that the honor and the interests of the Union were to be protected by the sword, to the hour when the voice of peace assured us that this object had been happily attained. They did not, in the slightest degree, impair the promptitude with which the requisitions of the general government were complied with, the vigilance with which danger from the common enemy was anticipated and guarded against, the liberality with which money was advanced to defray all necessary expenses, or the loyalty with which the whole resources of the Commonwealth were devoted to the general defence.

Relying upon the justice of the United States for ultimate indemnity, and resolved to do her duty, whether indemnified or not, Virginia continued her advances for defraying the expenses of the war, so that in the month of December, 1813, they amounted to \$382,141.78; in Feb'y, 1814, to \$444,049.56; in November, 1814, to \$913,599.51; and in the end to not much less than \$2,000,000.

Of all this not one cent was refunded 'till one year after the conclusion of the war, except \$100,000 in treasury notes, furnished in the autumn of 1814, when this State had in the field more than one-fourth of all its militia.

Of these advances, the sum of \$1,781,330 01 has been liquidated and

1824.
March 23,
Richmond

paid by the Government of the United States; the payments except the \$100,000 above mentioned, being made from the 29th of Feb'y, 1816, to the 22nd of January, 1823.

Some further claims remain suspended for the procurement of more satisfactory vouchers, of the extent whereof I am not informed, and some perhaps have been finally disallowed.

To meet these advances by Virginia, her ordinary revenues were by no means adequate. It had been fully competent, however, for years, to defray the expenses of her peace establishment, and would have sufficed for a state of war if the general government, fulfilling the great object of its creation, had provided sufficiently for the common defence, and defrayed all its charges; but a portion of these charges falling upon this government, we were compelled both to raise our taxes, and resort to loans.

Accordingly by the act imposing taxes for the support of government for the year 1813, our taxes were raised about one-third, as will be seen by comparing the act of the Session of 1812-13, ch. 1, with the act of the preceding session, ch. 1; also by another act of session 1812-13, ch. 9, a loan of \$350,000 was authorized at a rate of interest not exceeding 6 per cent.

Under this act the sum of \$350,000 was borrowed from the Bank of Virginia, on the 29th of March, 1813, at an interest of six per centum per annum, for the period of nine months, and this period was afterwards protracted to the 29th of March, 1814.

Every dollar of this money was applied to defray the war expenses with which the United States were justly chargeable.

Again at the next session, 1813-14, our taxes were increased upon the old subjects about 30 per cent., and taxes imposed on many new subjects. At this session also a law was passed authorizing another loan of \$750,000 at a rate of interest not exceeding 7 per cent.—See the Sessions Acts 1813, ch. 1, p. 1, and ch. 27, p. 63.

This loan was negotiated partly with the Bank of Virginia and partly with the Farmers Bank of Virginia; \$350,000 was borrowed of the former and applied to the repayment of the same sum borrowed the preceding year, and \$400,000 was borrowed of the latter, of which \$313,665.68 was applied to pay the State's quota of the direct tax which had been assumed, and the balance was applied to defray the war expenses.

Notwithstanding the large increase of our taxes, and the sums of money thus borrowed, our treasury was exhausted by the autumn of this year; and to meet the heavy expenses which the imminent danger of that period made necessary, our Executive upon its own responsibility borrowed money from the Banks and convened the Legislature to provide for the emergency. At its session in November, 1814, authorized a loan

from the Farmers Bank of Virginia of \$200,000 at an interest of $7\frac{1}{2}$ p. ct., to be reimbursed out of the revenue of the next year, see ch. 15, p. 56.

1824.
March 23,
Richmond

This loan was accordingly made, and the money applied to refund that borrowed by the Executive and to defray war expenses.

At this session the taxes were further raised—something being added to some of the old subjects, and many new subjects being introduced, and two other acts passed embracing loans.

One authorized a loan of \$800,000 in anticipation of the revenue of 1815 and 1816, at an interest not exceeding 7 per cent. The other authorized a loan of \$1,100,000, at an interest not exceeding 8 per cent. per annum. See ch. 16, p. 57, and ch. 17, p. 58.

Under the former, \$800,000 was borrowed of the Farmers Bank of Virginia at 7 per cent., and under the latter, there was borrowed of the Literary Fund \$6,200 at 8 per cent., and of the Farmers Bank two sums, one of \$536,052.19, the other of \$100,000—these two sums at an interest of 6 per cent.

The Auditor's Statement A shows how much interest has been paid upon these loans, and how much of the principal has been reimbursed. It shows that the loans of \$200,000, \$800,000, and \$536,052.19 were fully reimbursed in the year 1816; the loan of \$100,000 in the year 1817; that of \$6,200 in the year 1818; that of the loan of \$350,000, only \$120,000 has yet been reimbursed, and of the loan of \$400,000, \$311,000 has been reimbursed; and it shows that the whole amount of interest paid by this Commonwealth upon these loans up to the end of 1823, is \$486,853.24.

The Commonwealth can have no just claim to refund the whole of this interest. So much as accrued upon the \$313,665.68 applied to pay the State's quota of direct tax, ought perhaps not to be reclaimed. There is some strong reason for contending that the interest even upon this sum which accrued after the first year, should be refunded by the United States, because it is very manifest that the increased revenue of the State arising from the war taxes could have redeemed this loan within a twelve months, if it had not been consumed in these expenses which the United States should have borne; so that although this loan was not made to meet these expenses, it was certainly continued in consequence of them. But this is debatable ground, and I would not advise that it should be occupied. Neither should we claim the refunding of interest paid after the principal advanced had been refunded to us, nor should we at any time claim the refunding of interest paid upon any sum beyond the amount of advances due to us.

Holding these principles in view, I have compiled from the documents furnished me, a statement, marked No. 1, showing the amount of our claim for interest, on account of the advances already liquidated and paid, to be \$232,702.67.

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Richmond

I believe the calculations are correct, and I am well satisfied that the principles on which this statement is made, must be sanctioned by the justice and good sense of all mankind.

I have made another statement, marked No. 2, which will show the probable amount of our advances to the General Government at various times within the period over which the account No. 1 extends, and will show that the sums on which we charge for interest paid, have, for the greater part of the time, fallen short by several hundred thousand dollars of the amount of our advances, and have at no time exceeded that amount, unless, perhaps, for a few months of the year 1813, between the periods of borrowing and disbursing the \$350,000.

The chief argument to sustain this claim, is to be found in the narrative which explains it. This shows that we are not asking usance for the monies advanced by us, but simply the return without interest of the specific sums paid out of our treasury for the benefit of the United States. Our advances, it is true, were of two kinds, the one of principal to defray expenses as they accrued; the other of interest to pay for the use of the money we had borrowed to meet these expenses. The former has been refunded to us as far as the claims have been liquidated. Whether the latter shall also be refunded, is the question to be considered.

In considering this question, I shall adduce no further evidence to prove that the sums borrowed on which the interest in my statement No. 1 is charged, were borrowed to meet the war expenses which have been well acknowledged as a just charge against the general government, and that they were faithfully applied to that object. Our journals and public offices abound with evidence on this subject, which leaves no manner of doubt in relation to it. I shall take it for granted and examine the question upon principle.

What then is the nature of our claim? Is it a claim for *interest* upon monies advanced by us, or is it for part of *principal* itself? It is in truth a claim for a part of the principle debt owing us by the government of the United States. For, although we advanced it in the name of interest on the money we had borrowed, it became at the moment of the advance a part of the principal sum due us from that government. This is illustrated by familiar transactions between man and man. One pays for another his principal debt, with the interest that has accumulated on it from the moment of the payment, the principal and interest unite in constituting a new debt, the whole of which, as regards the person who made the advance, is principal and carries interest. So one borrows for another a sum of money and pays interest upon it. The borrower becomes the creditor of him for whose use the money was borrowed, and the interest paid upon the loan constitutes a principal debt to the borrower and carries interest. These are principles perfectly

familiar to our courts of justice, and are founded in no arbitrary enactment of the Statutes, but in those perfect doctrines of the common law, based on common right matured by experience and sanctioned by the wisdom of centuries. The rule of right must be the same between governments. It cannot be pretended that if Virginia had paid an hundred thousand dollars of the interest upon the United States debt, her claim for reimbursement would have been a claim for interest upon her advances, or that it would have been repudiated upon the ground that the government does not pay interest.

These considerations are sufficient to show that our claim is not for *interest* upon advances, but for the principal itself; and the question recurs whether it ought to be allowed by the government of the United States.

It is difficult to draw any just distinction between those advances which the government of the United States has sanctioned and refunded, and those advances for interest upon the loans. We had no legal claim upon the government of the United States for either; neither advance was made under any previous contract with the United States, or any law authorizing it; for neither would any action have been sustained; both were made under the pressure of uncontrollable circumstances, and in the confidence that the United States would indemnify us for them. And it is manifest that both were applied to the use of the United States.

It may be said that if Virginia had advanced the money to the United States out of her own revenues without resorting to loans, the United States would have received equal benefit, and in that case would not have been chargeable with interest. This may be allowed, if you please, without affecting this question—for the question is not simply what benefit the United States has received, but the question is what burthen Virginia has borne in her services. If Virginia had possessed revenues to meet these expenditures she would not have paid interest. Not having the revenue, she has been obliged to borrow and to pay interest. But has not the United States in truth profited in her fiscal affairs to much more than the amount claimed by the money which Virginia borrowed?

It is well known that the Government of the United States had not revenues to meet the War expenses. That they resorted to loans; that while Virginia was paying from 6 to 8 per cent. for the money borrowed for their use, they were paying much higher interest upon the money they borrowed for themselves; that they effected loans with much difficulty, and that the embarrassments at their treasury were very great. If then Virginia had not borrowed this money, the Government of the United States must have done so, and would have paid, no doubt, much higher interest.

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In this view of the subject, how is our claim for refunding the interest paid to be distinguished from the claim for refunding the principal? We advanced the principal, and it saved the United States the numerical sums advanced. This advance they refund to us. We advanced the interest; it saved to them a greater amount which they must have paid for interest, and shall they refuse to refund us this?

The doctrine that the government does not pay interest unless where it has been contracted for, has no application to this subject. It may suit very well and be very politic in relation to individuals who become the creditors of the government without any contract for interest, who ought to be subjected to the necessity of a speedy settlement of accounts, whose claims the government is to be presumed are always ready to pay as soon as they may be liquidated, and from whom forbearance in the general, the government cannot profit. But in a case like this, when the transaction is between governments, where nothing is asked but a return of actual advances, and where the government of the United States has profited as well by the advance, as by the forbearance to answer the demand by the proposition, that the government does not pay interest unless by contract, is mockery.

If there were anything in the delays which have attended the settlement from which blame could be imputed to Virginia, or from which it could be shewn that the government of the United States had suffered injury, there might be some color in the objection to our claim. But the journals of our Legislature, and the records of our departments will shew that these claims have been pressed with at least as much earnestness and constancy as was convenient to the general government, and that so much as has been paid was quite as soon as suited the fiscal resources of the general government. Among other expedients proposed to facilitate the settlement of these accounts, and to render their payment convenient to the United States, a law was passed in the session of 1814-15, authorizing the assumption of the State's quota of the direct tax of 1815, provided that payment would be accepted in over advances. This was not agreeable to the general government; the proposition was rejected and the tax levied upon the people. But the government of the United States has not always acted upon the principle that they ought not to pay interest except when they had previously contracted for it. I have heard, though I cannot vouch for it, that there have been several exceptions to this rule. There is at least one exception which, I think, is entitled to great weight.

When in the year 1790 the government of the United States funded its own and assumed the State debts, it took upon itself not only the *principal* but the *interest* of those debts.

The State debts assumed, were debts contracted for defence during the war of the revolution. Individuals held the obligations of the States for

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principal sums bearing interest—The United States assumed both principal and interest, without its ever occurring to any one that they were departing from the principle of that rule which protects government from interest not contracted for.

The analogy between the State debt and interest then assumed, and the State debt and interest now in question, is complete for the purposes of this argument, and the only difference between them renders the present claim much stronger. The difference is that the old debt was incurred by the State for the defence of the State by forces not subjected to the authority of the United States. The present debt was incurred for the common defence by forces either called out by orders of the general government, or subjected to their authority as soon as they would receive them.

By the law too, passed in the year 1790 for the settlement of the accounts between the United States and the several States, provision is made for paying interest on the balances which should be found due to the States.

Justice, reason, authority, concur in sustaining our claim. If any thing further were required to recommend it to the favorable attention of the United States, something perhaps might be found in the circumstance that Virginia had dedicated this claim to the encouragement of learning by vesting its proceeds in the Library fund, and by a late act has appropriated fifty thousand dollars of it to the equipment of the University for its commencement. The latter act will at least justify us in pressing this claim to the earliest possible adjustment, as the money will be immediately in requisition by the Visitors of the University, and is indispensable to the successful execution of their measures.

I am, &c.

Statement No. 1.

The United States, Dr.
To the Commonwealth of Virginia.

For interest paid on loans negotiated to defray such expenses of the late war, as have been acknowledged to be proper charges against the Government of the United States :

Paid to the Bank of Virginia one year's interest on the loan of \$350,000, from the 29th of March, 1813, to the 29th of March, 1814, at 6 per cent.,	\$21,000 00
Paid on the same sum, interest at the rate of 7 per cent. per annum from 29th of March, 1814, to 7th of Nov., 1816, 2 y'rs, 7 mo's, 8 days,	63,836 10

1824. March 23, Richmond	Paid on \$325,000 [the balance of the 350,000, after deduc- ting 25,000 redeemed on the 7th Nov., 1816,] 7 per cent., from 7th Nov., 1816, to 8th Dec., 1817, 1 y'r, 1 mo., 1 day, - - - - -	24,709
	Paid to the Farmers' Bank of Virginia on \$86,334.32, part of the loan of \$400,000 negotiated under the act of 1st of Feb'y 1814, to 8th Dec. 1817, 3 y'rs, 10 mo., 4 days,	23,233
	Paid the Farmers Bank in 1815 on the loan of \$200,000, negotiated under the act of the 18th of Nov'r, 1814, at 7½ per ct., - - - - -	9,338
	Paid the Farmers Bank from July, 1815, to March, 1816, on the loan of \$800,000, negotiated under the act of 29th of Dec., 1814, at 7 per ct., - - - - -	44,671
	Paid the Farmers Bank in May and July, 1816, on \$536,052 19, borrowed under the act of 10th of Jan'y, 1815, at 6 per ct., - - - - -	12,72
	Paid the Literary Fund from July, 1815, to Nov., 1817, on \$6,200, borrowed under the last mentioned act at 8 per ct., - - - - -	1,34
	Paid the Farmers Bank in Nov., 1816, on \$100,000, bor- rowed under last mentioned act, - - - - -	1,0
	Paid the Bank of Virginia on \$281,330 01 from the 8th of Dec., 1817, to 17th Aug., 1818, 8 mo. 9 days, - - -	13,6
	Paid the Bank of Virginia on \$134,830 from 17th of Aug., 1818, to 18th May, 1819, 9 mo. 1 day, at 7 per ct., -	7,10
	Paid the Bank of Virginia on \$88,315.39, from 18th May, 1819, to 10th March, 1820, 9 mo., 22 d., at 7 per cent.,	4,9
	Paid same on \$42,710.49, from 10th March, 1820, to 4th May, 1821, 1 y'r, 1 mo., 24 d., at 7 per cent., - - -	3,4
	Paid the Bank of Virginia on \$12,710.49, from 4th May, 1821, to 29th of April. 1822, 11 mo., 25 d., at 7 per cent., - - - - -	8
	Paid the same on \$6,841.50, from 29th April, 1822, to 22nd Jan'y, 1823, 8 mo., 23 d., at 6 per cent., - - - - -	3
		<hr/> \$232,20

In this statement there is charged to the United States all the in-
which accrued up to the 8th of December, 1817, on the loans nego-
by this Commonwealth during the war, except the interest on \$313,66
part of the loan of \$400,000 made by the Farmers Bank. This
of \$313,665.68 is not brought into this account because it was ap-
to the payment of the State's quota of the direct tax.

The period of the 8th December, 1817, is assumed as the p-
period to which to charge *all* the other interest, because until that

Virginia was in advance to the United States constantly a greater sum than that for which all other interest was paid.

1824.
March 23,
Richmond

Making the whole sum which has been liquidated and paid by the United States as the criterion of the advances of this Commonwealth, it will appear that

the whole advances were, - - - - -	\$1,781,330 01
which there were paid at various times, from Nov'r, 1814, to 8th Dec'r, 1817, - - - - -	1,500,000 00

Leaving then a balance of, - - - - -	\$281,330 01
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This balance being less than the amount of loans on which Virginia has since been paying interest, instead of charging the whole interest due by her since that period, there is only charged in this statement interest on so much of the loan as is equivalent to the balances remaining due to the Commonwealth from time to time. This will be seen by attending to the manner in which the above balance was diminished, which is as follows:

8.—Aug. 17th, By Cash, - - - - -	146,500 00
	<hr/>
	134,830 01
9.—May 18th, By Cash, - - - - -	46,514 62
	<hr/>
	88,315 39
10.—Mar. 10th, By Cash, - - - - -	45,604 90
	<hr/>
	42,710 49
11.—May 4th, By Cash, - - - - -	30,000 00
	<hr/>
	12,710 49
12.—April 29th, By Cash, - - - - -	5,868 99
	<hr/>
	6,841 50
13.—Jan'y 22nd, By Cash, - - - - -	6,841 50
	<hr/>

STATEMENT No. 2.

Showing from time to time the amount of monies borrowed by the Commonwealth of Virginia during the late war, on which she has been paying interest, exclusive of \$313,665.68, part of the loan of \$400,000 applied to the payment of the State's quota of direct tax; also showing

1824.
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Richmond

the probable amount of advances by the Commonwealth to the United States at corresponding times:

DATES.	SUM BOR- ROWED.	SUM RE- FUNDED.	TO WHOM OR FROM WHOM	AMOUNT BEAR- ING INTEREST.	AMOUNT OF AD- VANCES TO THE UNITED STATES.
1813. Mar 30	\$350,000 00		Bank of Va.	\$ 350,000 00	{ Between \$35,000 and \$50,000 About 40,000 Upwards 50,000
1814. Feb'y 4	85,334 32		Farmers Bank	85,334 32	
Nov 18	200,000 00		Do	200,000 00	
1815. July 1	400,000 00		Do	1,010,334 32	
Feb'y 4	5,200 00		Military Fund	1,042,534 32	
13		30,076 02	Farmers Bank	1,011,658 30	
18	150,000 00		Do	1,261,658 30	
19	100,000 00		Do	1,246,658 30	
21	100,000 00	15,000 00	Do	1,346,658 30	
25		42,125 08	Do	1,304,534 32	
June 15			Do	1,354,534 32	
July 1	50,000 00		Do	1,309,534 32	
15		48,000 00	Do	1,356,534 32	
24	50,000 00		Do	1,306,534 32	
25		22,000 00	Do	1,328,534 32	
Aug. 16	50,000 00		Do	1,428,534 32	
Oct. 10	50,000 00		Do	1,428,534 32	
20		44,000 00	Do	1,472,534 32	
Nov 11		200,000 00	Do	1,672,534 32	
20		200,000 00	Do	1,872,534 32	
22	50,000 00		Do	1,922,534 32	
23		100,000 00	Do	2,022,534 32	
28		80,000 00	Do	2,102,534 32	
Dec. 21	30,000 00		Do	2,132,534 32	
1816. Jan'y 15	30,000 00		Do	2,162,534 32	
23		20,000 00	Do	2,182,534 32	
24		10,000 00	Do	2,192,534 32	
Feb'y 8	50,000 00		Do	2,242,534 32	
22	50,000 00		Do	2,292,534 32	
Mar. 2		176,052 19	Do	2,468,586 51	1,861,300 00
2	30,052 19		Do	2,498,638 70	
April 1	50,000 00		Do	2,548,638 70	
6		23,424 86	Do	2,572,063 56	
23-24		96,615 00	Do	2,668,678 56	
May 11		11,252 05	Do	2,679,930 61	
16	50,000 00		Do	2,729,930 61	
17, 21, 22, 27, 31		203,901 73	Do	2,933,832 34	
June 1		161,015 50	Do	3,094,847 84	
Sept. 1	30,000 00		Do	3,124,847 84	1,861,300 00
Oct 1	50,000 00		Do	3,174,847 84	
Nov 7		100,000 00	Do	3,274,847 84	
7		25,000 00	15 k. of Va	3,299,847 84	
1817. Nov 4		35,000 00	Free Bk	3,334,847 84	
1		6,200 00	Military Fund	3,341,047 84	
30		2,000 00	15 k. of Va	3,343,047 84	

Statement

Showing the amount of advances by the Commonwealth of Virginia to the United States at different periods, from the commencement of the late war to the 22 of Jan'y, 1823

1812. Oct 18—At this date the whole amount advanced as per account rendered to the war department, was,	817,750 57
1813. Feb 26—Whole amount as per account rendered, also rendered to the department of war,	315,683 00
1813. May 24—Whole amount as per account rendered to that depart.	94,847 88
1813. Dec 14—Whole amount as stated by the committee of the House of Delegates in their report of 11th of Feb'y, 1814, p 186 of Journal,	382,141 78

1814. Feb'y—Whole amount as stated in the above mentioned report,	-	-	-	-	-	-	-	-	444,049	56
1814. Nov. 4—Whole amount as stated by the Governor in his communication to the Assembly, p. 50 in the Journal, 1814-15,	-	-	-	-	-	-	-	-	913,599	51
This am't is subject to a credit of \$100,000, paid in treasury notes by order of the President at the earnest solicitation of one of the Executive.										
1815. Dec.—As the war ended in Feb'y of this year, we must suppose the advances subsequently to the 4th Nov., 1814, had occurred in the early part of the year 1815, and that the whole or very nearly the whole had occurred by the end of that year. The whole sum settled at the war department and paid at the treasury of the United States being \$1,781,330 01, and the only part of that which had been refunded before the end of the year 1815 being the \$100,000 in treasury notes mentioned above, we may set down the whole amount of advance at this date	at	-	-	-	-	-	-	-	\$1,681,330	01
1816. Feb'y 29, \$150,000, being paid leaves	-	-	-	-	-	-	-	-	1,531,330	01
March 2, 2,500, paid	"	-	-	-	-	-	-	-	1,281,330	01
" 7, 200,000,	"	"	-	-	-	-	-	-	1,081,330	01
Nov. 7, 350,000,	"	"	-	-	-	-	-	-	731,330	01
1817. May 18, 250,000,	"	"	-	-	-	-	-	-	481,330	01
Dec. 8, 200,000,	"	"	-	-	-	-	-	-	28,330	01

1824.
March 23,
Richmond

This balance extinguished as appears in the note at the foot of the statement of the interest account.

REMARKS.—The account of this Commonwealth against the United States for advances commenced with the war.

On the 18th of October, 1812, it amounted to \$17,751 37; on the 26th of Feb'y, 1813, to \$31,683 09; on the 24th of May, 1813, to \$94,847 88; on the 14th of December, 1813, to \$382,141 78. Early in Feb'y, 1814, to \$444,049 56; on the 4th of Nov., 1814, to \$913,599 51, subject to a credit of \$100,000 paid in treasury notes. In the end it amounted to at least \$1,781,330 01. That sum having been liquidated and paid at the treasury of the United States as the war ended early in 1815, we may suppose that the whole or nearly the whole expenditure occurred by the end of that year. See statements accompanying this.

GARRIT MINOR TO THE GOVERNOR.

Under the impression that Gene'l La Fayette, on his route to York, will pass through this town, the citizens are making preparations to receive him.

Oct. 6,
Fredericks-
burg

Connected with these arrangements, it is wished to know the views of the Executive of the State on this subject. After the example of other

1824.
October 6,
Fredericks-
burg

States, is it intended that you meet him at the edge of the State in person or by deputation, and what mode of conveyance is intended for him?

I am requested by our committee of arrangements to ask your reply to the above.

Should you pass through this town to meet him on the Potomac, our citizens will be pleased of the opportunity of testifying the respect which they entertain towards you.

I am, &c.

JOHN LYLE (CAPT.), EDGAR A. POE (LT.) TO THE GOVERNOR.

Nov. 17,
Richmond

At the request of the members of the Richmond Junior Volunteers, we beg leave to solicit your permission for them to retain the arms which they lately were permitted to draw from the Armory. We are authorized to say that each individual will not only pledge himself to take proper care of them, but we ourselves will promise to attend strictly to the order in which they are kept by the Company.

We are, &c.

WM. MUNFORD (C. H. D.) TO THE GOVERNOR.

1825.
Feb. 7

The General Assembly of Virginia by joint ballot of both Houses, have this day duly elected Philip P. Barbour, Esqr., a Judge of the General Court, to supply the vacancy occasioned by the death of Hugh Holmes, Esqr., of the ninth Judicial District.

I am, &c.

P. P. BARBOUR TO THE GOVERNOR.

Feb. 10,
Washington

Accepting the commission of Judge of the General Court, to qualify after the 4th of March.

JABEZ LEFTWICH TO THE GOVERNOR.

Feb. 21,
Congress
Hall

Recommending the appointment of Gen'l John Floyd as Senator of the United States from Virginia, in the event of an expected vacancy by the appointment of Governor Barbour to a seat in the Cabinet of John Quincy Adams.

To the Governor and Executive Council of the State of Virginia:

The undersigned representatives in Congress having understood from common rumor that a probability exists that one of their Senators may be appointed to an important Executive office in the new administration of the General Government, which if tendered and accepted would create a vacancy in the Senate—and in the event of those contingencies happening, if it shall be deemed of sufficient importance that Virginia may be fully represented in the approaching extra session of the Senate, commencing on the 4th of March next, which from the number of nominations requiring confirmation may continue for ten or perhaps fifteen days, as to induce an Executive appointment of a highly respected fellow citizen and colleague John Floyd, as a suitable appointment to fill such vacancy if such shall occur.

1825.
Feb. 22,
Washington
D. C.

For ourselves on this occasion, we disclaim any influence from sectional feelings; believing as we do that Gen. Floyd is highly qualified to discharge the important duties of the high trust, with honor to himself and advantage to the State; yet, we think that something is due to the feelings of Western Virginia, as from the organization of the Government to the present time, but one Senator has been appointed from that portion of the State west of the Blue Ridge, and that an appointment in accordance with their feelings may at this time have a salutary effect.

We are respectfully, your fellow citizens,

JARED WILLIAMS.
WM. M. COY.
J. S. BARBOUR.
P. P. BARBOUR.

JAMES BARBOUR TO THE GOVERNOR.

With great pleasure, I announce to you that, at this moment, after much difficulty, the bill according payment of interest to Virginia has finally passed. On this fortunate event, I offer you my congratulations. I enclose you a copy of the bill as it passed. I submit the propriety of presenting immediately our claims, with a view to a speedy adjustment. I wrote Mr. Jefferson immediately on its passage.

March 2,
Senate
Chamber
Washington
D. C.

I am, &c.

CARY SELDEN TO THE GOVERNOR.

I herewith, "for the information of the Executive of Virginia," enclose a copy of the bill enacted by the 18th Congress of the United States, for reimbursing to the State of Virginia the amount of interest

March 9,
Washington
D. C.

CALENDAR OF STATE PAPERS.

5. paid by the State for different sums of money borrowed and loaned to
19. the General Government during the late war.
ington
C.

If it should be considered necessary on the part of the Executive, after having examined this act, to employ an agent at this place, to adjust and settle the account in question, I should feel gratified in having this duty conferred upon myself. I would beg leave to suggest for the consideration of the Executive, that the accounts which have been heretofore committed to my charge and management have been intricate and troublesome in their nature, and attended with but little profit to myself. as will be those now suspended for further proof, which I shall feel it my duty to attend to. If these considerations can offer any additional reasons for committing the settlement of this account to my agency, I trust I shall be enabled to do it in a manner which will continue the confidence and approbation which they have been pleased to express of me for my past services in the same way.

I am, &c.

TH. JEFFERSON TO THE GOVERNOR.

March 10,
Monticello

We learn authentically that Congress has passed a law authorizing the payment to Virginia of such a portion of her claim as will certainly cover the donation of 50,000 d. to the University by the Legislature. From the 5th section of the act making that donation, I observe that we are not obliged to seek it through the circuitous channel of a loan from the Board of Public Works, but may ask it directly from the money received from the Government of the U. S. The authority to receive the whole being, therefore, in yourself, and that also of paying its portion to the University, I take the liberty of requesting you to have our portion placed at our disposal with as little delay as possible. I presume you will deposit the whole in our Banks, where our part can be made payable to our order. Dispatch is important to us that we may be enabled to procure from Europe and elsewhere within the course of the present year, all the articles of apparatus and books necessary. We are under disadvantages this year from the want of them, and it will be very important to assure the public that we shall begin the course of the next year completely provided with every article necessary for full instruction in the several schools.

Mr. Barbour and Mr. Tucker, late members of Congress, now with me, assure me that the demand will not require 24 hours to be settled at Washington. On this ground, and confident of your desire to advance the interests of this institution, I take the liberty of this importunity and pray you to accept the assurance of my high respect and esteem.

I am, &c.

JAMES BARBOUR TO THE GOVERNOR.

My seat in the Senate of the U. States has become vacant by my acceptance of the Office of Secretary for the War Department, which fact you will have the goodness to communicate to the General Assembly. Suffer me to add to the communication an expression of profound gratitude to that body, and through them to my fellow-citizens of Virginia generally for the repeated and distinguished proofs of confidence with which, in their kindness, they have honored me, and an assurance that the remembrance thereof will be cherished thro' life with a constancy equal to the obligations they have imposed.

1825.
March 11,
Washington,
D. C.

I am, &c.

JAMES BARBOUR (SECT'Y) TO THE GOVERNOR.

Yours of the 16th came to hand this morning. I proceeded immediately to a compliance with your request, by enquiring of Mr. Hagner what he thought would be requisite on the part of Virginia to substantiate the claims for interest under the law. His answer to the enquiries, which he was instructed to report in writing, I herewith enclose. If any difficulty should occur in furnishing the proofs requested, it will give me great pleasure to remove them, if in my power, by a zealous co-operation with you, and I beg you to believe it will be a great source of personal gratification to be able to contribute this service to Virginia. I regret that the rules of this Department will not permit me to order the advance of the \$50,000 to be made in conformity with your suggestion and Mr. Jefferson's request.

March 18,
Department
of War,
Washington
D. C.

This obstacle will be an additional motive for hastening the adjustment of the claim.

I am, &c.

PETER HAGNER TO JAMES BARBOUR (SECT'Y WAR).

I have the honor to state on the subject of your enquiry, relative to the evidences to be presented by the State of Virginia, to obtain payment of the interest due thereto under the law for that purpose passed at the last session of Congress, that without more information than I possess, it would be difficult to specify what may be necessary.

March 18

The proper course to be pursued, as it appears to me, is for the State to prepare and render to this office an account of its claims under the law, accompanied by the receipts or other vouchers for the payment of

1825.
March 18

the sums charged for interest and by the proofs of the application of the loans on which the interest has been paid to the use and benefit of the United States. If on investigation thereof, further documents or explanations shall be found requisite, the nature of them can be pointed out to the State authorities.

I am, &c.

T. CADWALLADER TO THE GOVERNOR.

April 20,
Phila-
delphia

In compliance with your letter of the 15th instant, the swords to be presented by the State of Virginia to Generals Gaines and Scott and Captain Warrington, were yesterday delivered to Messrs. Bunker and Starr, of this city, who held an order from Bernard Peyton, Esq'r, of Richmond, to receive them. They were carefully packed in a box by Mr. Harvey Lewis, the maker, and, as I understood, were forwarded on their destination yesterday P. M. by B. & S.

I hope the weapons may reach your Excellency "in good order and well-conditioned," and it will be a great satisfaction to me if the ornaments and devices which were left to my discretion, should meet your approbation.

As to your opinion of the *workmanship* I have no apprehension. In justice to Mr. Lewis, I may say that the chasing, &c., has been pronounced upon by the best Judges here as highly creditable to the artist selected for that branch of the work, and the blades have been equally admired.

Enclosed is the receipt of Mr. Lewis for the price of the swords (1,400). the amount placed to my credit in the Farmers and Mechanics Bank of Philadelphia by the Bank of Virginia.

It is proper to explain the scenes represented on the blades of Generals Gaines and Scott—and as to the first, it will be recollected that no part of Fort Erie was fit for the purposes of defence except the half Bastion on the extreme right, with the stone barracks, or as they have been called the *Stone Block Houses*; these were sufficient to quarter one company tolerably. The breast works were of a very ordinary kind, and between "Towson's Light House," in other words Towson's Battery, on the left, and the Lake, there was no ditch or breastwork at all. The surface of this space consisted for the most part of solid rock, presenting nearly a plane, with a gentle declivity near the Lake; here the only defence against a strong line of bayonets, consisted of a little loose brush, over which a boy of ten years might have leaped with ease. If asked why the encampment was not better fortified, it may be truly answered for General Gaines that as much had been done as it was possible with his limited means and time to effect.

1825.
April 20,
Phila-
delphia

Our army had been forced back from its last field of high renown to the last nook of land on the Canadian shore. Hemmed in by Lake Erie on one side, and on the other by a veteran force of nearly double its number of regular troops, it had lost many of its best officers and one thousand brave men in action. Under these circumstances, General Gaines took the command, and after a daily conflict of nearly three weeks in succession, he not only effected the preservation of that army (an achievement of no ordinary character), but he met and beat the enemy in a general engagement, in which he acknowledged a loss of more than nine hundred men, a greater loss than was admitted on any other occasion during the war except New Orleans.

In the sketch upon the blade, the time is chosen after Drummond's column had gained possession of the Bastion; the general is seen leading on his reserve to retake the work, against which he had previously directed a powerful and concentrated fire of musketry—the enemy is retreating in confusion—while a long 18-pounder is sweeping their column from the battery on the left; in the back ground appear the stone buildings which composed part of the Fort, with a distant view of the Lake in the perspective. At this moment of deep interest and excitement, the General is represented reigning up his charger to speak to a wounded officer, who lies on the ground supported by a soldier. The officer is Lieut. Watmough, who was carried to the General's own bed by his order, and whose recovery from a very dangerous wound was entirely owing to his care and attention. The incident is introduced as illustrative of leading features in the General's character.

On General Scott's blade a scene from the battle of Niagara has been selected, not merely as offering subjects fitter for pictorial representation than the affair at Chipewa, but because attempts have been unfairly made to give more of the honor of the former field to General Ripley than to General Scott. All who were conversant with that affair, well know the gallant bearing of the first Brigade in supporting the weight of the action, and how severely it suffered. The sketch represents the moment after Miller had carried the battery.

General Scott is seen at the head of his shattered, but still intrepid Brigade, and mounting another charger, his own having been literally torn from under him by a cannon shot, it was a moment when victory seemed dependent upon the uncommon exertions of some heroic spirit, and the effect produced upon the Troops by the General's sudden falling and reappearance was finely electrical.

The sea fight on the blade of Captain Warrington is taken from the print of the engagement between the Peacock and Epervier, and requires no explanation.

I am, &c.

HERMAN BOYE TO THE GOVERNOR.

1825.
May 10,
Phila-
delphia

Enclosing the proposals of sundry engravers in Philadelphia for engraving the general map of Virginia as prepared by himself, viz.:

William Harrison, of George Town, D. C., for \$4,500, with an advance of \$700, and \$100 per month as the work progresses, to be completed in 15 months.

Fielding Lucas, Jun'r, of Baltimore, for \$5,000, to be completed in 12 to 15 mo.

James W. Steel, of Philadelphia, for \$6,000, in 15 months.

James H. Young, of Philad'a, for \$4,000, in 12 mo.

Benjamin Tanner, of Philad'a, for \$5,000, time not to exceed 2 y'rs.

Henry S. Tanner, of Philad'a, for \$4,500, in 12 months.

Wm. Allen, of Phila., for \$6,000, in 18 months—\$2,000 in advance.

II. BOYE TO THE GOVERNOR.

May 22,
Phila-
delphia

I received your letter of the 14th inst. yesterday, and informed Mr. Henry S. Tanner immediately of its contents, who has already made the necessary arrangements for procuring the copper plates as soon as practicable.

When the contract and Bond have been executed, I will forward those papers immediately to the Executive department, and retain copies of them myself. I have, since my arrival to this place, been closely engaged in introducing into the General Map such correct information as I have been able to collect in the Navy and War Departments, Baltimore and here, and which will occupy me several weeks yet, but will not prevent Mr. T. to commence his labors as soon as he has procured the Copper-plates.

I became acquainted a few days ago in the Philosophical Society with a Count Vidua (son of the Minister of State to the King of Sardinia) by John Vaughan, Esq., Counsel in this city for different European powers. The Count travels for pleasure and information, and comes recommended from James Brown, our Minister at Paris; he has letters of introduction from Baron Humboldt to Mr. Jefferson and others. As he expressed a desire to be provided with letters to some one in Richmond, I have taken the liberty to introduce him to your acquaintance. He is a very extensive traveller and possessed of good general information.

If you will be so kind to forward me letters of introduction to Mr. Sergeant and General Cadwallader, it may become of some advantage to me.

I am, &c.

II. BOYE TO THE GOVERNOR.

Enclosing Contract and Bond of Henry S. Tanner for the faithful engraving of the General Map of Virginia prepared by Boye.

1825.
June 3,
Phila-
delphia

ROBERT TRIPLETT TO THE GOVERNOR.

As soon as convenient after receiving the notification of my appointment as Virginia Military Agent in the place of the late John S. Herring, dec'd, I proceeded to the Iron Banks (near to which place the office of the military surveyor is kept) for the purpose of commencing my official duties, but found the country in such a state of inundation and the health of the Surveyor so delicate that it was deemed impolitic, not impracticable, to do any surveying at that time. These considerations, together with others mentioned in the surveyor's answer to a note of mine addressed to him on the subject of my agency (a copy of which note and answer are annexed to this communication), induced me to return to this place for the purpose of attending to other branches of the business, until by the removal of existing impediments, the surveying might be commenced.

July 7,
Frankfort,
Ky.

Previously to leaving the military District, I obtained from the surveyor's books a minute statement of the business as left by Mr. Herring, showing particularly what has been done in relation to every survey, and into whose hands every plot and certificate had been delivered which had passed out of the surveyor's possession; all which information can be obtained on the application of any of the parties concerned. I have communicated with the representatives of Mr. Herring for the purpose of obtaining such papers relative to this agency as he died possessed of, and suppose I shall in due time obtain them.

From the Register I ascertain that of the Military entries subject to this agency there have been patented about	-	-	-	88,000 acres.
Plots and certificates lying in the office unpatented,	-	-	-	26,057 "
From the Military Surveyor I learn that he has recorded				
Plots and certificates over and above the quantity above stated, to the amount of about	-	-	-	82,458
leaving unaccounted for and I presume of course unsurveyed, about	-	-	-	65,060
				<hr/>
				261,575 acres.

Total amount of entries subject to the attention of the Virginia Military agent, - - - - - 261,575 acres. Although one impediment to proceeding with the surveying, appears to be the want of fees from a part of the owners of the entries, still, as

1825.
July 7,
Frankfort,
Ky.

it is not to be presumed that any owner would rather sacrifice his land than pay the fees, that obstacle will not be sufficient to prevent the progress of the business when all others are removed.

I am, &c.

To Richard Taylor, Esq'r, Military Surveyor :

D'R SIR,—As it is my wish to forward with all convenient dispatch the surveying and perfecting of the titles of all the Military entries south west of the Tennessee river, so far as it comes within the perview of my duty as agent of Virginia, I wish you, for the benefit of the owners of said entries, to state what obstacle exists to forwarding the plots and certificates of such entries as have been surveyed, to the register's office, that grants may issue, and to your surveying the remainder.

Y'rs respectfully.

(Signed)

ROBERT TRIPLET.

To Robert Triplett, Esq., Virginia Agent :

D'R SIR,—In answer to your note requesting of me to know what obstacles exists to the forwarding of plots and certificates of Military surveys of West Tennessee for Registry, that patents may issue thereon, I have to observe that there are plats of surveys now lying in my office to the amount of about 30,000 acres, about 13,000 of which were surveyed by Major Croghan or his deputies in his life time, and 17,000 by myself or deputies at my own expense, for which no fees have been paid or tendered, nor has any person authorized, applied for them. Of the surveys yet to make, there are many, for the defraying the expenses of which no arrangement has been made, and it is not convenient or agreeable for me to advance money on an uncertainty of its being returned without interest.

Y'r obed't sv't.

(Signed) RICHARD TAYLOR.

CARY SELDEN (AGENT VA. CLAIMS) TO THE GOVERNOR.

July 12,
Washington,
D. C.

'Tis with pleasure I announced the termination of my labors with the Accounting Offices of the Government here in relation to the settlement of the claim of the State of Virginia against the General Government for interest paid by her on loans made by her for the use and benefit of the United States during the late war. It has resulted after some trouble and discussion between Mr. Hagner and myself upon the most important points, in a result which, I trust, will be satisfactory to the

ecutive and to the people of the State, having obtained for them the
ole amount as claimed by the State with the discount of \$140.85,
or in calculation of interest in the account as exhibited by the
counting Office of the State.

1825.
July 12,
Washington,
D. C.

I wrote you about two weeks since informing you that some points,
olving principles upon which the accounting officer and myself
ld not agree, had been referred to the Att'y-General for his opinion,
all of which references his opinions have resulted favorably to the
te. To this communication I have never received any reply. I take
s opportunity of expressing my thanks to the Sect'y at War and the
orney-General for the aid which they have afforded me in producing
speedy a settlement of the claim, and to assure you that the State has
en much benefited by their advice and services. Enclosed is a state-
ent of the account showing the balance due to the State. Any
ther instructions as to the disposition of the proceeds, which you
y think proper to give me, will be attended to. The present enclo-
re is a mere extract from the general account, and in a few days I will
nish you with the account entire.

Having gotten through with this account, I shall now proceed to take
the other, containing a list of the unsettled and suspended balances,
the settlement of which I shall look to you for all the aid you can
e me, as it will be attended, I fear, with much difficulty. If I have
en fortunate enough to have given satisfaction to my State and the
ecutive, who have employed me as their agent in this business, I
all feel much gratified.

I am, &c.

ference arising on the settlement of the account of the State of
Virginia for interest :

Amount due for account of the State,	-	-	-	\$178,620 96
Ditto per official statement,	-	-	-	178,480 11
				<hr/>
				\$140 85

50,000 Loan Bank of Virginia.

Interest of \$350,000 29th June, to 4th	
Oct., 1814—over calculated,	\$45 59
Interest of \$250,000 4th Oct., 1814,	} 26 95
7th Nov., 1816, Do.	

0,000 Loan Farmers Bank.

nt. of \$23,406 93 Repaid to the Bank	
19th of Oct., 1816—under calculation,	1 17

CARY SELDEN TO THE GOVERNOR.

Your favor of the 9th instant acknowledging the receipt of my several communications, and covering a Resolution of the Executive Council of Virginia Requesting me to furnish them with a statement of the amount and character of the services rendered by me in the settlement of the debt upon the General Government for the interest, &c., and to state the amount of compensation which I may expect to receive for the same, has been received.

1825.
August 13,
Washington

Believing as I do that the Executive Council in making this call upon me could have had no intention of treating me with disrespect, but merely justice to a faithful discharge of their official duties desired to know the consideration for which I was to be compensated by them, I will promptly and respectfully meet their wishes by stating the facts candidly and correctly as they occurred in my agency in settling this claim.

The account was brought to me from Richmond by Mr. Jackson about the latter part of April last, with a considerable number of vouchers to sustain the charges in it, and after a cursory examination of the papers and the necessary explanations from that Gentleman to enable me to comprehend it more clearly, I laid all the documents with the account, before Mr. Hagner, the third auditor, the proper accounting officer of the General Government for the settlement of such claims, with a request that as soon as he could give them the necessary examination, he would communicate the result to me, and say when I might calculate upon his taking them up for settlement, urging at the same time the great interest which the Executive as well as the whole State felt in a speedy decision of the case, as the proceeds arising from it were already appropriated to the use and benefit of the University of Virginia. In a few days I heard from Mr. Hagner, requesting that I would call at his office, that he wished to see me on the subject of this account. I accordingly called upon him, when he told me that from the view he had taken of it he could not reconcile it to himself to admit the account to anything like the extent it claimed, as some of the sums as charged in were not sustained by such evidences as in his opinion came within the provisions of the act of Congress providing for the payment of the debt. I endeavoured to convince him by all the arguments I could use to remove his mistaken views he had taken of it, and used every possible exertion to remove his objections in several personal interviews I had with him at different times, but all in vain. I finally requested him to reflect upon the subject and take further time to investigate the account, to deliberate well upon the proper and rational intention of the act of Congress made for the case, and to give it a fair and just construction, that when he did I hoped he would think differently of the claim. He assured me of his good feelings towards the State whose interest I

1825.
August 13,
Washington

was representing, and he should be very glad if he could think he was justified in allowing the whole account, but that he would give the subject a more full and deliberate Examination and make a communication to me in a short time apprizing me of the result of it.

In about two weeks, I received a communication from him informing me that he regretted, after full reflection, that he could see no reasons for changing his opinion in relation to the Account, and that he saw no probability of his being able to settle it as stated. I replied to this note, by stating that he would oblige me in an official communication, to state the particular items in the Account which he objected to, and the reasons of his objections, and suggested to him at the same time, that as much as I regretted that we could not agree upon the principles upon which the Account should be settled, that I thought the principal difficulties might be gotten over by referring the particular points about which we were at issue (embracing the reduction of one-third of the whole claim presented by me) to the decision of the Sect'y of War and the Attorney General, observing to him, at the same time, that I supposed he would feel himself authorized as the Accounting Officer of the Government, to settle the Account upon any principle which he might be recommended by such high Authority as those two Officers of the Government. To this proposition, Mr. Hagner consented, and the Account, with all the vouchers and Documents, with the special Acts of the Legislature of Virginia, were submitted accordingly, with such comments by him and by myself upon them as we thought proper to make. The result of this reference, was a lengthy opinion from the Attorney General, "a copy of which he has sent me," resulting entirely in favor of the claim as stated in the Account, and for which I strenuously contended throughout, and, as I have no doubt, very correctly and justly.

After this Mr. Hagner informed me that he was ready to go into a settlement of the account, as he could not resist the authority of such opinions; and that if I wished it he would at once furnish me with a competent clerk to go into a minute examination of the account and vouchers, and as soon as this could be effected, he would settle the account after referring it to the comptroller. I appointed the next day to attend to it, and from that moment attended every day until the whole examination was made and the account finally settled, which obtained for the State all that she claimed, deducting some small amount for errors in calculation.

'Tis true that these accounts were not more than between three and four months in my possession before they were settled, and the proceeds placed to the credit of the State, but it is also true that nothing but the most constant and persevering zeal and attention, and the particular course which was adopted by me, produced the speedy and favorable settlement of it which finally took place.

I claim no particular credit for it, nor do I wish it to be so understood, and I should be wanting in feelings of gratitude if I were not to acknowledge the obligations which I am under to both the Secretary at War and the Attorney General for the aid which they both, with great alacrity and promptitude, rendered the State and myself (as their agent) in this business.

1825.
August 13,
Washington

In relation to the compensation which you desire me to name as the consideration of my services, I must be excused from complying with this delicate request. Were I to do so it would fix no rule of decision for the Executive Council, because in this case there is no specific contract between them and myself.

They have allowed me heretofore, upon all the accounts which I have settled for the State, at the rate of three per centum upon the amount, and I believe in no instance have they ever remained unsettled from the time I received them, more than six months.

If this account having been settled in a shorter period, constitutes in their estimation any reason for lessening the compensation to me, I shall feel satisfied in trusting it to their liberality and justice. Whatever opinion the Executive council may entertain of my merits as their agent, I do not exact of them to say, but I can, with the strictest truth and sincerity, declare that my best talents and industry have been invariably employed and exercised to fulfil the high trust and confidence reposed in me and for the best interest of my native State.

I am, &c.

(600).

PHILADELPHIA, *Sep. 21st, 1825.*

Sept. 21,
Phila-
delphia

Received of Governor James Pleasants, six hundred dollars, in part of my salary for contracting for and superintending the engraving of the General Map of Virginia.

H. BOYE.

ROBERT TRIPLETT (AGENT OF VA.) TO THE GOVERNOR.

In my communication of the 7th of July last, I informed the Executive of the condition in which I found the business appertaining to the Virginia Military Agency in this State when I entered upon the duties thereof. Since then I have been engaged in forwarding the same, and so far as it relates to the surveying, little now remains to be done. So soon as it is finally completed, and the plats and certificates recorded by the Surveyor, said plats and certificates will be brought up and deposited with the Register of the land office at this place, where they must lie six

Dec. 22,
Frankfort

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Dec. 22,
Frankfort

months before grants can issue; during which time the present owners, whether claiming by descent or purchase, should bring forward the evidences of their titles in order to procure Grants in their own names, otherwise they will be issued in the names of the original claimants, whereby much expense and trouble may become necessary to shew the present owners' right to the Land.

The law of this State authorizing surveys to be made on the Military entries South West of the Tennessee river, requires an exact conformity of the Survey to the Entry, and declares void any grant which may issue on surveys otherwise made, in consequence of which many difficulties have occurred. In some cases the Land marks which designated the ground intended to be occupied by Entries, have lost their names, most of which were given by the superintendents who located the warrants; and as the whites were afterwards expelled from that country for upwards of thirty years, no means have existed for handing down those names to the present time, save in the recollection of those who may be now alive, of the Superintendants and others who accompanied them while they were exploring that country for the purpose of making those locations.

Their memories, though strong, are yet not sufficient to enable them to identify all the objects called for, and entries calling for such as cannot be designated, would give the owners no right to surveys made thereon, if a rigid construction of the Law were insisted upon. Wherever I have found entries so circumstanced, I have ordered Surveys to be made by virtue of them on vacant Land as near to that which said entries were intended to occupy, as my information would enable me to ascertain it.

Another difficulty, no less perplexing, has presented itself where the objects called for can be identified. their distances from each other have been mistaken, and in consequence, blocks of surveys, extending from them, are found often, so far to clash with each other, that several entries cover the same ground. In such cases, a strict obedience to the Law would require Land to be surveyed which had been previously appropriated; a step which could give the owner of the entry on which the Junior survey was made, no property in the Land, nor place him upon a better footing than he would occupy by allowing his entry to remain unsurveyed, unless he would deem it an advantage to have the privilege of a legal contest with a better title. My predecessor in Office has, I find in many cases, adhered strictly to the Law under such circumstances, and his example might have been deemed sufficient justification for my pursuing the same course; but as I feel convinced that it never could have been designed by this State to take advantage of such interferences to appropriate to herself any Land which the Military claims rightfully ought to occupy, I ventured to take upon myself the respon-

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Dec. 22,
Frankfort

sibility of ordering all junior interfering entries to be surveyed on adjoining vacant Land, doubting not that the Legislature of the State will, without hesitation, legalize such surveys when the matter is properly explained to them. It seems clear, that their object in requiring the survey to conform to the entry was to prevent those claims from having a Locomotive character, whereby the points on which they might settle could not be known until they were surveyed; and, therefore, persons would in the interim be afraid to purchase Land of the State lest it might be taken by a Military claim. I have procured from the representatives of the late John S. Herring, all the papers that I, as Military Agent, had a right to demand. They shall be used as the interest of those concerned may require.

The foregoing embraces everything in relation to my agency which I should deem it essential to notice if I had an eye to the letter only rather than to the spirit of the Law creating the office which I fill. But that act, by furnishing the officers and soldiers of the Revolution with a friend and representative to guard and protect their rights and interests, Evidences, as I think, a disposition on the part of Virginia to manifest her gratitude by securing to them the consideration for which in part they gave us being as a nation.

I presume, therefore, it may not be amiss to set forth some facts in relation to these rights, which require to be understood in order the more effectually to accomplish the end desired.

Of the entries made South West of the Turnpike river, about eighty thousand acres are found to be within the Treasury Warrant claims patented by Virginia. If these Treasury Warrant claims be valid, then Virginia has given nothing to the officers and soldiers claiming said military entries within them. The reward promised for the achievement of our independence will have been earned by the soldier, but will remain unpaid by Virginia. Her faith, so often and so solemnly pledged to secure to them this reward, will remain unredeemed.

No blame can be attached to those claimants for the loss of this Land; no lapses have occurred on their part. Virginia will have conveyed to them Land, a better title to which she had previously conveyed to others. The locating of said Military Warrants within the Treasury Warrant claims, was an act of her agents who were not subject to the controul of any military claimant, for to avoid giving any one officer or soldier an advantage over another, the location of those Warrants was confided to the Superintendants, who were to appropriate them as the common property of the military claimants, and afterwards determine by lot to whom each respective location should belong.

If in the execution of their duties, they locate Warrants upon Land to which others have a better title, the fault is not in those to whom such locations may happen to be allotted, but in the Agents of Virginia.

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Dec. 22,
Frankfort

The claims of the officers and soldiers yet remain unsatisfied. In case of the Superintendent against Geo. R. Clarke, decided in the Court of Appeals of Virginia at their November term, 1791, the validity of the Treasury Warrant claims was established, yet there seems a reasonable probability that by more care and proper preparation of the case the cause of the officers and soldiers would have prevailed. My strong ground for this belief is the opinion of Benj'n W. Leigh, Esq'r, as expressed in his address to the Legislature of Kentucky in the following words :

"I have been told that Treasury Warrants have been located on Military tract below the Tennessee to a considerable extent. I sincerely hope that those claims may never come into conflict with the Military rights. If such a conflict should occur, the courts of justice must determine the controversy, and in that case I shall make it my special business to prove that the locations on Treasury Warrants cannot affect the rights of the military claimant, because, in regard to them, they were made without authority of law. *I can prove it.*"

I have procured the opinion of Mr. Geo. M. Bibb (a gentleman whose legal character is well known in Virginia), in relation to the same subject which is herewith enclosed Marked A. to which I have taken the liberty of annexing such remarks as I suppose not impertinent, and which have been suggested to me in the course of the limited investigation which my time and materials have enabled me to make. They were made with a view to determine the facts upon which Mr. Bibb founds his opinion as to the invalidity of said Treasury Warrant claims. My object in drawing your attention to this subject is to shew the claim which the officers and soldiers have upon the justice of Virginia for the determination of said controversy at her own expense. The burthen would be great for any one of the claimants to bear while there was an uncertainty of success, and a concert of operation among them could not easily be procured. Even if it could, they would need a common friend to bring it about and to act for them. It was in consequence of application made to me on this subject by some of the parties interested, that the proper course was first suggested of making their condition known to the Executive of Virginia, that he might if deemed proper, authorize the Military Agent for the time being, to lend his aid to the military claimants in the controversy, and that he might obtain from the Legislature if he considered them entitled to it, a reasonable appropriation to defray the expenses of the necessary suits. I believe that with good economy, \$500 would suffice. This sum the military Agent might be authorized to appropriate in the manner by him deemed best calculated to accomplish the desired end, furnishing a strict account of his disbursements with the necessary vouchers. In obedience to the solicitations of many persons, representatives of officers and soldiers whose warrants should have been.

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never were satisfied, out of the district South West of the Tennessee river. I was induced to address (while engaged in the duties of my office within that district), a petition to the Legislature of Kentucky (through the medium of a letter to one of our representatives), asking in case the Land contended for could not be granted unconditionally, that the claimants might be permitted to litigate their rights in a court of Justice.

Such permission I considered would be equivalent to a grant of Land. The petition, together with the report thereon of the committee to whom it was referred, is herewith enclosed, marked B. The shortness of the Session prevented the Legislature from acting finally on the subject, but I have reason to hope that the report may be agreed to at the next session. Then, however, the granting of the petition may not procure for the claimants such relief as they conceive themselves entitled to, for the best Land within the said district will, no doubt, by that time have been disposed of. In relation to those warrants, I beg leave to indulge in a few remarks before closing this communication. The course which Virginia has taken to redeem her plighted faith in regard to them, certainly does her great credit. Her citizens have cause to pride themselves on being natives of a Land where such a high and generous sense of honor prevails.

Virginia, when she had furnished to those claimants every security for the satisfaction of their warrants, which, by Law, could be furnished, might reasonably hope to escape all censure for the failure of that satisfaction when that failure is attributable to causes beyond her control. It seems clear to me that she gave the Land in contest to her officers and soldiers as far as by Law it could be given, without designating the bounds which were to serve it from the residuum of the district out of which it was to be taken, and as far as she could, without designating the bounds, convey "*an absolute and unconditional title*" to Land, it appears to me that she has conveyed such a title to those officers and soldiers. This opinion, however, may result from the bias which I feel in favor of the authors of our independence, and probably does, as the Legislature of Kentucky seem heretofore to have thought otherwise, and the report of the committee to whom my petition on the subject was referred, recommending a reference of the subject to judicial investigation, is proof (so far as a correspondence, in opinion, between this committee and said Legislature may be inferred, and so far as their willingness to hazard the result of such investigation is evidence) of their sincerity in that opinion. But, as before observed, the last Legislature was prevented, by the want of time, from concurring in that report, if they had been disposed to do so; and for reasons before mentioned, a future concurrence in it may furnish very incompetent satisfaction to the claimant. What then is to be the fate of those claimants? Must they go unre-

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quited for the national existence which they have so generously aided in procuring for us? I do not think the justice of Virginia requires her to make a second payment of this bounty. But may not the maternal interest be enlisted to obtain satisfaction from the source whence it may be due, if there yet remain room for an exertion which has not already been made? Such room does exist.

The point in controversy, as far as it can be summed up in a few words, seems to be this, Kentucky contends that by the compact, Virginia transferred to her all the Land within the bounds of Kentucky which should remain undisposed of on the first day of May, 1792, and as before that day those warrants were not located, they gave the holders no right to the Land.

Virginia contends that the issuing of the warrants was a disposition of the Land. But I will not lengthen this communication by going into an examination of this controversy, as I have done so in the petition before referred to, and as the able exposition of Mr. Leigh in relation to it is probably yet fresh in your recollection. Suffice it to say, an eye to the safety of the settlers in this country induced the Legislature of Virginia to prohibit their location before the year, 1786, and the treaty of Hopewell between the United States and the Chickasaw Indians prevented it afterwards.

Had it not been for this treaty, the said Warrants would probably have been satisfied, and as by it Virginia was prevented from complying with her engagements before she gave up the sovereignty of the soil, is it unreasonable to hope that the United States, who may be considered as having by said treaty caused the loss, would deem it just at the solicitation of Virginia to repair the injury by appropriating a tract of country to satisfy these warrants? If it be contended that the Treaty of Hopewell was not the only obstacle to the satisfaction of those warrants, but that a law of Virginia also prohibited the location of them, it may be answered, that although in the year 1784 the safety of her Western Citizens rendered it necessary that Virginia should suspend the surveying and taking possession of Land reserved for Military bounties Northwest of the Ohio, and on this side below the Tennessee, yet that Consideration ceased to exist in 1787, when the inhibition was revoked as to the Country Northwest of the Ohio, and would have been revoked as to that below the Tennessee, but for the treaty of Hopewell, which treaty would have rendered such revocation useless.

I am aware that the claims of the revolutionary soldiers have been so often urged upon the attention of Congress that any application in their favor is now listened to with such impatience that no hope of success could be entertained for the petition of individuals, and unless Virginia shall deem it an object worthy of her attention as a sovereign State, and will in that character urged the claim, it must go unsatisfied. In addi-

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on to the foregoing reasons why Congress should appropriate Land to satisfy these warrants, is the following well-known fact: The 5th condition upon which Virginia proposed ceding the North Western Territory to the United States, was "That if the quantity of good Land on the South west side of the Ohio, upon the waters of Cumberland river and between Cumberland river and the Tennessee river, which have been reserved for the Virginia Troops upon Continental establishment, *and upon her own State establishment*, should from the North Carolina line, bearing in further on the Cumberland Lands than was expected, prove insufficient for their legal bounties, the deficiency shall be made up to the said Troops good Lands to be laid off between the rivers Sciota and Little Miami, on the north west side of the Ohio river, in such proportions as have been engaged to them by the Laws of Virginia."

The committee of Congress to whom the proposition from Virginia was referred, in quoting this 5th section, leave out the words "*and upon her own State establishment*," and report that the same being reasonable, ought to be agreed to by Congress and ratified by Virginia, doubtless without discovering the said omission, which in all probability was an accidental oversight on the part of the clerk in copying.

Thus, although Land is provided for the satisfaction of the warrants issued to the Virginia Troops on Continental Establishment (so far as good Land within the District in Kentucky set apart by Virginia for military bounties cannot be found to satisfy them), yet none has been provided for the satisfaction under similar circumstances of warrants issued to the troops upon her own State establishment, notwithstanding it is evident such a provision was according to the understanding of Virginia, a part of the condition upon which the cession of the North Western Territory was made.

Some faint effort has I understand been made to rectify this error, either in the manner best calculated to give the officers and soldiers the advantages to which the circumstances of their case entitle them, or, not able to ascertain from any information I can attain here, and not desiring to forward immediately this communication, will not admit of necessary delay to procure it. But I presume a proper exposition of the matter never could have been made, or the injury must have been repaired. Every consideration of gratitude and of justice demands it. At the commencement of the Revolutionary struggle when money to carry on the war was obtained with great difficulty by the confederated Government, Congress recommended that each State whose means would permit of it, should give Military Land bounties to the Officers and soldiers engaged in the service. Virginia, ever ready to exhaust her own means for the promotion of the general welfare, promptly obeyed the recommendation. She offered liberal bounties out of her own Land to such of her citizens as should engage in the great struggle. She did not require the

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confederated government to make her any recompense for the donation thus made; so far from it she at the close of the war in the fullness of her magnanimity, offered to the nation all the remainder of her Land lying on the Northwest side of the Ohio river, reserving only so much as might be necessary to pay the debts which she had contracted with the achievers of our national independence.

This reservation was according to her proposition for the benefit of her State as well as of her continental line, but as was before observed, the committee to whom the proposition for ceding the said territory was referred, in stating the condition upon which Virginia proposed the cession, omitted the words "and upon her own State establishment," and reported the condition proposed reasonable, taking no notice of said omission.

The cession was accordingly agreed to by Congress and ratified by Virginia; neither party, I presume, being aware of the alteration. When we consider that the Virginia troops "upon State-establishment" were engaged in the common cause, fighting the battles of the nation, and to all intents and purposes as efficient a portion of the American army as the troops on continental establishment, we are at a loss to conceive why it should be supposed that any distinction was designed by Virginia or wished by Congress between them and the continental troop, to their disadvantage. They were in no respect less meritorious. Why then was this distinction made? Was Congress unwilling to receive from Virginia the immense domain offered, because out of it Virginia wished to retain a small portion sufficient to redeem her plighted faith to a part of the troops who aided in giving us a national existence? No one can suppose so.

There is no accounting for the exclusion of the State line from participation in the benefits conferred upon the Continental line, but by attributing the omission aforesaid to accident. If it should be contended that Kentucky is bound to give up Land to satisfy these bounty claims, for argument sake, admit it. But suppose she thinks otherwise, and will not do it; is the war-worn Soldier, who has waited now upwards of fifty years in expectation of the reward which was promised him for his long suffering, and the blood which he has shed in the cause of his country, to be told that he has waited in vain; that the good of his country required the treaty of Hopewell to be entered into by the United States, in consequence of which a satisfaction of his claim was necessarily deferred until the year 1818, before which time, as Virginia had lost the Sovereignty of the Soil, difficulties have in consequence occurred which prevent a possibility of his receiving what has been so often and so solemnly promised him?

Is this the reply which awaits the Revolutionary Soldier or his descendant? As before observed, justice does not demand of Virginia

a second payment of this bounty. Kentucky may persuade herself that she is not bound for it. And the United States may say that they will not pay it, but certain it is the Soldier will be wronged, and when, at some future day, his son shall be called upon to fight the battles of his country, might you not expect him to reply: what inducement have I to engage in the service of an ungrateful Country that has forfeited her faith so often plighted to reward my father for similar services?

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Frankfort

Whether the prospects of getting this Land from Kentucky will justify Virginia in deferring her application to Congress, may be determined by the following facts:

The most that Kentucky can be expected to do will be to concur in the report of the committee in favor of submitting the question to judicial investigation; even this is doubtful, and admitting that said report shall be agreed to by the Legislature, it is then possible that the claimants may not succeed in the contest. Should they succeed, it is more than probable that before the question is decided, all the good Land may have been disposed of by the State, and only such left as may not be worth the taxes. Furthermore, I will observe the warrants known to be unlocated, and for which satisfaction is claimed, amount to about 57,515 acres, in addition to which there are 175,853 acres, as to which is uncertain what proportion has been located, making a total of 33,368 acres.

Of this amount, as you will discover by the report of the committee of the Legislature of this State before referred to, there is no prospect of obtaining satisfaction for more than 109,449 acres, the amount issued by Virginia to her State line before the first day of May, 1792. The claimants of the remainder must go unsatisfied unless Congress will appropriate Land for them.

Perhaps I have been unnecessarily prolix on this subject, but my apology must be my anxiety to enforce upon the Legislature of Virginia the propriety of making some energetic exertion to have justice done to a set of men who have claims upon our gratitude which never can be satisfied even by granting more than is asked for them.

I will close by remarking that if Virginia had been less patriotic, she had not incurred this debt; if she had been less bountiful to the Union, she had not wanted the means of paying it. Surperadded to which, had it not been for the treaty of Hopewell, or the omission aforesaid, those warrants would have been long since satisfied.

I am, &c.

FRANKFORT, Dec. 20th, 1825.

DEAR SIR,—In a laudable zeal to superintend the interests of the military bounties, you have requested me to embody the substance of

1825. my communication to you in our conversations on the treasury warrants, which conflict with the military rights below the Tennessee river, with a view on your part to lay the subject before the General Assembly of Virginia.

I could have wished that this application had been made at a time when my professional duties and engagements were not so pressing. But I hope by a succinct history with reference to statutes and adjudged cases, to present the subject in such light, that with the aid of the intelligence of the General Assembly of Virginia, it may be seen and understood.

The first appropriation by the Legislature of Virginia for satisfying the bounties in lands promised to the officers and soldiers on Continental and State establishment, comprehended only the lands between Green river and the Tennessee river, from the Alleghany mountains to the Ohio river, excepting the grant to Richard Henderson and company.

At the November session, 1781, the General Assembly added to this fund the lands lying between the Tennessee, Ohio, and Mississippi rivers and the Carolina boundary.

The treasury rights located below the Tennessee river and now conflicting with the military rights, may be thus classed:

1st. Treasury warrants entered with surveyor before the November session, 1781.

2nd. Those located after the commencement of that session, but before the actual passage of the law, which made the additional appropriation before recited.

To both classes an objection to their legality arises out of the prohibition contained in the act of 1779, which prohibition, so far as it is applicable to the present controversy, is involved in these expressions: "No entry or location of land shall be admitted within the county and limits of the Cherokee Indians." For at that time the Southern boundary of the reserve for the officers and soldiers was the Carolina line to the Cherokee or Tennessee river, with the said river to the Ohio river," as will be seen by reference to the act of 1779, as well as to the original resolution for reserving a fund for the troops.

"What was the extent of the prohibition meant and declared in the act of 1779 by the expressions county and limits of the Cherokee Indians?" is a question of fact to be determined by oral evidence, reputation and tradition. I have not been able to find any law or resolution of the Virginia Legislature of the colonial government or other authentic document which defines the limits of the Cherokee Indians earlier than the treaties of Hopewell of 1785 and 1786, which were made between the United States and the Cherokee and Chickasaw Indians, and other treaties afterward. In the case of the Superintendants of the Virginia State line against General Clarke, adjourned from the Supreme

ourt for the District of Kentucky, and decided in the Court of Appeals 1825.
 Virginia at the Nov'r term, 1791, the extent of the Cherokee limits is
 ated as a question of facts not ascertained by law nor by evidence in
 at cause, and therefore that decision leaves the present controversy
 tween the individual military claimants and the Treasury rights un-
 cided, even those individuals whose surveys conflict with General
 arke's are not bound by the decision of the caveat because not parties
 the caveat.

As to the second class of Treasury Warrants (located after the com-
 mencement of the Nov'r Sess., 1781,) they are in law over reached by
 at Act and avoided, because that Act took effect from the first day of
 e Session.

Every grant upon a Treasury right located contrary to the Acts of
 79 or 1781, within the Military reserve, and conflicting with a Mili-
 y survey carried into grant, although of a date younger than the
 ant upon the Treasury rights, may be repealed in Chancery for the
 nefit of the Military rights. In the scire facias or other proceeding
 repeal the grant made upon the Treasury warrant, it will be sufficient
 show that the location of the Treasury warrant was made contrary
 the prohibition in the Act of 1779, or after the effect of the Act
 1781. The Military claimant will not in such case be put to the
 ecialty and notoriety of his entry as in ordinary cases of conflicting
 tries made in a tract of Country free and open to both locations.

The number of acres surveyed upon Treasury warrants and conflict-
 : with Military claims, you can better conjecture than I can.

The expense of a suit to settle the principles involved, would be
 evous to an individual, but of small consideration to the State of
 rginia. Besides it is not just that the first pioneer, who shall make
 individual effort to settle these principles, which once settled clears
 : way for the rest, shall bear the whole burthen. It will be a source
 pleasing recollection should these hints be in any degree useful in
 ing the Officers and Soldiers of the revolution or their descendants in
 uring the small reward for their toils and dangers and privations,
 ich was so solemnly promised, and which they have so gloriously
 ned.

With great esteem, your fellow citizen,

GEO. M. BIBB.

n relation to the facts connected with the question concerning which
 . Bibb has given his opinion, it may be said :

The Treasury Warrant claimants are in possession of the Land. A
 ision of the Court of Appeals of Virginia stands now in their favor.
 the treaties of Hopewell of 1785, the boundary of the Cherokee
 s not include the Country. By the treaty of Hopewell of 1786, the

1825. boundary of the Chickasaws is made to include it. By the deed from the Cherokee Indians to Richard Henderson & Co., made in 1775, the lower or South Western boundary of their territory is said to be the Tennessee river, not including the Land in controversy. So much for the adverse side of the question.

When the Law of 1779 was made, providing that "no entry or location of Land shall be admitted within the County and limits of the Cherokee Indians," there was no country within the limits of Kentucky claimed by the Indians, except that within which said Treasury warrants lie; and none to which the said restriction could have been intended to apply, but the said Land afterwards ceded to the Chickasaw Indians, and which, I am informed, was known before the said two treaties of Hopewell as the Cherokee Country. I am informed that oral testimony of this fact can be obtained, but cannot speak myself with certainty on the subject, as I have not had an opportunity of seeing the witnesses to whom I have been referred. I am somewhat inclined to believe, however, from such vague information as my inquiries have furnished me with, that the said district was a disputed country, to which the right of no tribe of Indians was acknowledged until the treaties of Hopewell before mentioned, and that it might have been designated with equal propriety as the Cherokee or Chickasaw Country.

As it regards the date of the Treasury Warrant, entries within said district, Geo. R. Clarke's of 73,962 acres (relative to the dispute between which and the military claims, the suit aforesaid was decided in the Court of Appeals of Virginia), was the only one patented before the Nov'r Session of the Virginia Legislature, in the year 1781. The remainder on which patents have issued were made on or after the 20th of Nov'r, 1781.

There was one entry of 101,920 acres made by G. R. Clarke, on the 29th of Oct., 1781, but it has never been patented.

From a rough estimate, I would say that between a third and a half of the military entries lying within patented treasury Warrant claims, were covered by Clarke's entries of 73,962 acres. As to those Treasury Warrants entries made after the commencement of the November session of 1781, they must doubtless give way to the military entries when ever the relative strength of their titles shall be properly tested, as will be seen by Mr. Bibb's opinion.

R. TRIPLETT

JOHN RANDOLPH TO THE GOVERNOR.

Dec. 26, Washington On my arrival here yesterday I had the honor to receive your Excellency's letter announcing my election to a seat in the Senate of the United States. With my profound acknowledgements to the two House

of Assembly, I shall enter upon the duties of the Office humbly confiding in the liberal indulgence which Virginia has always extended towards her publick agents.

1825.
Dec. 26,
Washington

I am with the most respectful sentiments, your Excellency's most obedient and faithful servant.

REMBRANDT PEALL TO THE GOVERNOR.

Not less enthusiastic in my love of the art which I profess, than in my estimate of the character of Washington, my highest ambition has been to record his countenance.

1826.
Jan. 24,
New York

The success with which I have accomplished this task may be inferred from the testimonials of those who were intimate with him. Their expressions of approbation are unqualified and satisfactory. The original picture itself must remain in my own hands in order that I may execute a few faithful copies of it. And as I am about departing for Europe, I have thought it my duty, without delay, to offer to the State, over which you preside, the opportunity of possessing a copy of this portrait, which I am willing to furnish for One thousand Dollars.

This will be considered a moderate price for a Picture of such extent, style of execution, and the care which is requisite to insure a faithful transcript of so interesting and sublime a countenance. The time will soon come when this act, which goes at once to encourage native art and to commemorate a nation's gratitude, will be remembered with pride and satisfaction.

I hope it may afford you pleasure to make this communication to the Legislature.

I am, &c.

WM. W. RIED TO THE MAYOR OF RICHMOND.

Applying for the office of Superintendent of an asylum for the Deaf and Dumb when established in Virginia.

Feb. 3,
Canajoharie

JOS. KENT (Gov'r Md.) TO THE GOVERNOR.

In compliance with a request of the General Assembly of this State, I have the honor of transmitting herewith to your Excellency, the enclosed Resolutions, providing (if the Legislature of Virginia shall concur) for the adjustment of the boundary line between this State and the Commonwealth of Virginia.

April 21,
Annapolis,
Md.

The Legislature of Maryland have repeatedly manifested an anxious

1826.
April 21,
Annapolis,
Md.

desire for the amicable adjustment and definitive settlement of the aforesaid boundary line, and as the provision now made for that purpose will, if concurred in by Virginia, insure the accomplishment of that interesting object in a manner so impartial that it cannot fail to be satisfactory. I indulge the hope that your Excellency, participating, as it is not doubted that you do, in the desire to terminate the uncertainty so long existing upon this subject, will submit the Resolutions to the favorable consideration of the Legislature of Virginia at their next session.

I am, &c.

T. CADWALLADER TO THE GOVERNOR.

April 22,
Phila-
delphia

I was favored a few days ago with your letter of the 13th Inst., respecting the swords voted by the State of Virginia to Capt. Henly of the Navy, and to the nearest male Relatives of Captain Ritchie and Major Holmes, late of the Army.

It affords me much pleasure to say that I have persuaded Mr. Lewis to undertake the work, after some hesitation on his part. Annexed is a copy of his note to me on the subject, from which you will observe that he will require payment *here* on delivery of the Swords. I will very cheerfully take upon myself the task of designing the devices and patterns, and superintending the work, and shall be thankful for any information as to the circumstances attending the fall of the two officers at Bridgewater and Mickillimacinae, should there be within your reach the means of obtaining it. I should wish if possible to have some striking incidents, sketches for each blade. Have the goodness also to send me the date of the Resolutions.

I am, &c.

PHILADELPHIA, April 22nd, 1826.

GEN'L THOMAS CADWALLADER:

SIR,—I have received your communication respecting the three swords to be made for Virginia. I am willing to undertake and execute them to the best of my abilities with such devices and military emblems as you shall approve. As the device for the blades I suppose will be required to record some prominent action of each of the individuals, I shall calculate on your usual indulgence to be permitted to draw on you freely for assistance in designing and arranging them. As four hundred dollars for a gold mounted sword *well done* is too low to afford but a very lean, if *any profit at all*, to the manufacturer, and as the swords, I understand, are all mounted for officers of the army, I suppose the *mountings* may be all of the same pattern, should I prefer making them so.

It will be difficult to fix any precise time for their completion, but I will promise there shall be no unnecessary delay, using all my exertions to have them finished as soon as possible. When done, to be submitted to you for inspection, and if approved, to be paid for *here* on delivery.

1826.
April 22,
Phila-
delphia

With much respect,

Your ob. servant,

(Signed) HARVEY LEWIS.

L. W. TAZEWELL TO THE GOVERNOR.

The enclosed document which has this moment been laid upon my table, contains matter of too much interest to Virginia and to the other slave-holding States of this Union to justify me in omitting to lay it before you at the earliest moment. The facts of the case are that Francis Larche was the owner of a slave, horse and cart, all of which were impressed by order of Gen'l Jackson, for the purpose of aiding in completing the works he had planned for the defence of New Orleans. While so employed in carting, the slave was killed by a cannon shot fired by the enemy. No doubt, therefore, could exist that Larche, the owner, was entitled to be compensated for the property of which he had been so deprived by the U. S., and of course that he was entitled to be paid for this slave, provided the slave was property.

April 24,
Washington

Hence, arose the occasion for the Committee of the House of Representatives to pass upon the question whether slaves were property or not, and their decision upon this great question, the enclosed document testifies.

You will not fail to see in this reasoning, employed by the Committee on this occasion, the annunciation of another proposition of still more importance to the slave-holding States.

Not satisfied with deciding *in effect* that slaves are not property, the Committee go on to declare, that whensoever an emergency shall arise, which will justify the U. S. in calling out the citizens of the country to contribute to defend its rights, that emergency will also justify the U. S. in converting slaves into *Soldiers*!!

I write in too much haste, and under circumstances which necessarily restrain me from adding any observations upon the facts I have stated. But I could not justify myself in abstaining from bringing this matter before you as I have done.

I am, &c.

Mr. Martindale, from the Committee of Claims to which was referred the Bill from the Senate, entitled an Act for the relief of Francis Larche, New Orleans. made the following

Report.

1826.
April 24,
Washington

That this is a claim for the value of a slave belonging to the petitioner *impressed* into the service of the United States by General Jackson in the defence of New Orleans, and alleged to have been killed by a cannon shot while in that service.

Without stopping to deny or admit any of the facts by which the petitioner supports his claim, the Committee recommend its rejection upon principle. The emergency justified the impressment of every moral agent capable of contributing to the defence of the place; to call upon the master to defend himself and slave, as well as the slave to defend his master. It would be the height of injustice to call upon the free citizens of States many hundred miles distant from the place assailed, to pour out their blood and sacrifice their lives for its defence, and, at the same time, to exonerate from that service its own physical and moral force.

Men were wanted, and in that capacity the Slave was put in requisition. The Master, too, might have been called upon, and his sons and his hired servants, as they were in other parts of the Country; and where sons and fathers and husbands fought and died without having their lives valued, or compensated in money.

JOHN TYLER (GOV'R) TO HON. L. W. TAZEWELL.

May 2,
Richmond

Your favor of the 24th of April, covering the report of a Committee of the House of Representatives on the subject of Larche's claim for a slave impressed by the U. States and killed by the enemy while in that service, came duly to hand, and but for the correction, which, I trust, may be found in the good sense in the House of R., would be well calculated to excite the most gloomy forebodings.

We shall, indeed, have reached a point of the most frightful apprehension, when the Congress shall be found mad enough to sanction the principles, or, more properly, the *no-principles* contained in the report. It will be a point from which there will be no receding, and no advancing. But the precedents, fortunately, are all the other way. The late Treaty with England, if anything more than the common sense of mankind was wanting to settle the question, does settle it. Slaves are there placed on the footing of *property*, and he must be a wretched and misguided enthusiast who would now question the correctness of that decision.

I always thought that certain politicians had gone a bow-shot too far when they attempted, as in the discussion of the Missouri question, to elevate to the condition of *Citizens* the free blacks, but Mr. Martindale

and his Committee in their notion of *men* and moral *agents*, have made a new and wholly unforeseen discovery.

1826.
May 2,
Richmond

This is what you properly call it, a great question—a question big with the fate of this Union. A principle which startles, and is well calculated to alarm all the sensibilities of the patriot, and one in the settlement of which I shall, along with yourself and our common constituents, watch with the deepest interest.

I am, &c.

II. BOYE TO THE GOVERNOR.

I have the honor to inform you that the engraving of the General Map of Virginia is now completed by Mr. Henry S. Tanner in a manner fully conformable to what was required of him in a certain agreement entered into the 3rd day of June, 1825, at the City of Philadelphia, which was last year transmitted to the Executive Department. The plates have been insured in the office of the Pennsylvania Insurance Company to the am't of \$7,500 on as reasonable terms as could be obtained in any of the offices in Philadelphia which undertake similar risks. The Policy of said insurance I here beg leave to transmit.

May 9,
Richmond

The day after the engraving was completed, I left Philadelphia for this place, as I conceived that my staying any longer could be attended with no benefit and only occasion useless expense.

Previous, however, to my leaving Philadelphia, I secured a small — (about 50 sheets), and the only portion of suitable mapping paper that could be procured, on which I had impressions taken from the plates (9 in number) the day they were finished. The plates were then carefully packed up in a box made for that purpose and placed in the hands of Mr. Tanner for safe-keeping, he having engaged to keep them free from injury and in good order, to be always ready for printing, &c., without any charge, as his receipt accompanying this letter more fully will show. These impressions, which will make five maps, I left with Mr. T. to be colored, varnished, mounted, &c., as soon as the ink was sufficiently dry to permit it.

As I in having these impressions taken, acted without any order from your honorable body, and entirely on my own responsibility, I beg leave to state here the reasons which induced me to do so:

1st. Large mapping paper *for printing* is not manufactured at any of the paper mills in this country to my knowledge, unless when ordered, in which case it is requisite to have a mold made of a size to correspond with the dimensions of the plates; this mold the manufacturers never will be at the trouble of making unless at least 40 or 50 reams of paper

1826.
May 9,
Richmond

be wanted. It is, moreover, always necessary to order the paper at least three months before it is to be used, but generally 6 or even a greater number elapse before any quantity can be obtained. 2ndly. A complete copy of the maps must be placed in the Patent Office at Washington within 6 months after the date of the certificate, which secures the copyright has been taken out, otherwise this certificate, the date of which is engraved on the plates, would be of no use. These things considered, I thought that even in the event your honorable body should not deem it advisable to make any appropriation for the publication of the maps immediately, it would be inexcusable in me not to avail myself of this occasion to have a few copies of the maps finished this year. It will, moreover, afford the members of the next Legislature an opportunity of examining the work previous to their making any appropriation for its publication, and enable me to exhibit to you a finished copy before I leave this for the State of New York.

I have endeavored to discharge the trust confided to me with fidelity and diligence, and if the manner in which it has been executed, meets your approbation, it will afford the highest gratification to your obedient servant.

I am, &c.

REUBEN GRIGSBY TO THE GOVERNOR.

June 6,
Rockbridge

Recommending Captain Joseph Blair for the Captaincy of the Guard at the Lexington Arsenal.

JOHN BRICE (CHAIRMAN) TO THE GOVERNOR.

July 11,
Fredericks-
burg

Your Excellency, by the enclosed Resolution, will see that the citizens of this Place have had a meeting for the purpose of making a public expression of their sorrow for the late melancholy event which has removed from earth and from usefulness, their illustrious fellow-citizen, Thomas Jefferson, for whose memory they, in common with the rest of the good people of the United States, entertain the highest esteem and veneration. They have, as by the resolution will be seen, directed their Committee respectfully to solicit the Chief Magistrate of the State to appoint some day on which the citizens generally shall in a suitable manner testify their sorrow on this interesting occasion.

I am instructed to ask your Excellency for as early an answer as shall suit your convenience.

I am, &c.

T. CADWALLADER TO THE GOVERNOR.

Immediately after receiving your letter of the 5th May, I requested General Macomb to give me a sketch of the battle on Lake Champlain, representing Captain Henley's vessel in a prominent position. This the General kindly promised to do, and would doubtless have done, but his marriage and a subsequent journey, turned the matter from his mind, and I did not obtain the sketch until about a month ago. The sketches for the other swords had been previously prepared. The three blades were finished, and as the sword for Henly is to be the first executed, the artist was immediately employed in ornamenting the blade. The mounting had been some time before *in hand*, and Mr. Lewis promised that the work shall be completed with as little delay as possible, tho' I have not yet been able to obtain from him any information as to the time when the first sword may be expected to be finished. The other swords are also in some forwardness, but as the same chaser and engraver will be employed on each, they will be at a stand until Capt. Henley's is completed.

1826.
Sept. 15,
Phila-
delphia

On the reverse of that Officer's blade is to be inscribed :

"Presented by the Commonwealth of Virginia to Captain Robert Henley, 14th Feb., 1816."

I must, however, ask your Excellency's directions as to the inscriptions on the other blades. Whether it will be sufficient to word them thus :

Presented by, &c., to the nearest male relative of, &c., or whether the relative is to be *named*—if the latter be your wish, have the goodness to send me the forms of the two inscriptions for the blades of Holmes and Ritchie, bearing in mind that the more brief they can be made the better, especially that of the latter which will have a sketch on each side.

I am, &c.

LEWIS RUFFNER TO THE GOVERNOR.

Recommending David E. Moore of Lexington for the Captaincy of the Guard at the Lexington Arsenal in the event of the reported resignation of Capt. Paxton.

Sept. 21,
Salines,
Kanawha

BRISCOE G. BALDWIN TO THE GOVERNOR.

Recommending David E. Moore of Lexington for the Captaincy of the guard at the Lexington Arsenal.

Nov. 10,
Staunton

S. L. CAMPBELL TO THE GOVERNOR.

1826.
Nov. 25,
Rockbridge Recommending Capt. Joseph Blair for the Captaincy of the guard at
the Lexington Arsenal.

C. F. MERCER TO THE GOVERNOR.

November
Loudoun Co. Recommending Capt. Jos. Blair for the Captaincy of the guard at the
Lexington Arsenal.

ROBERT TRIPLETT TO THE GOVERNOR.

Nov. 25,
Frankfort,
Ky. In my last communication I informed you of the situation at that
time of the military land bounty claims under my superintendence. I
have the satisfaction now of informing you that the titles to all the
claims which Kentucky has allowed to be surveyed, are perfected, and
the grant ready for delivery to the rightful claimants. Annexed to that
communication, I forwarded a copy of the report of the Committee for
courts of justice, to whom the Legislature of Kentucky had referred my
communication on behalf of the unsatisfied claimants of military
bounty land South West of the Tennessee river.

At their approaching session I shall endeavor to obtain an early deci-
sion of the question, and shall lose no time in forwarding to you the re-
sult. Should the decision be in conflict to the report of the committee,
the whole question will be submitted to a Court of justice. In that
event, it may be necessary to have able counsel employed on behalf of
Virginia.

It will, however, be time enough to speak further on that subject
when the said decision is known. The numerous applications to me
from the claimants of military bounty land, to satisfy whom no steps
have been taken, have induced me to wish to visit Virginia during her
Legislative Session for the present year, in hopes that my feeble efforts
might be of some service in drawing Legislative attention to those
claims, for surely if any class of men deserve to have their case re-
spectfully considered, those do who have sacrificed so much in their
country's cause, and who now only ask what was promised them fifty
years ago as a reward for their patriotic services. But I could not be
absent from Kentucky while that branch of the subject is depending,
which is now before her Legislature, without injury to those who are in-
terested in it; and I could not hope to reach Richmond after the deci-
sion of the Kentucky Legislature in time to be of any service. I thought,
therefore, of preparing a petition to the Legislature of Virginia on be-
half of those claimants, but on reflecting on the subject, could see no

new ground to be taken, and determined to be satisfied with urgently calling attention to my former communication. There it will appear that Virginia solemnly pledged herself to furnish those who should serve her in the revolutionary war for a certain period, with a certain quantity of land. It will also appear that the services have been rendered by many to whom the promised land has not been furnished, altho' they have in no way forfeited their right to it. It will further appear that about 80,000 acres of warrants for the aforesaid military services have been, by the Agents of Virginia, uncontroled by the owners of the Warrants located on land, which Virginia had previously granted to the holders of Treasury Warrants; and to which land, therefore, the military claimants cannot have a legal title until the grants obtained on Treasury Warrants are vacated. Of course, the warrants laid for the military claimants secure them no land, and the debt due them remains undischarged.

1826.
Nov. 25,
Frankfort,
Ky.

Is Virginia prepared to pay those debts which would exhaust her treasury, or say to the revolutionary patriot that she will not pay the reward promised for his services? If not, is it not then incumbent on her to make some exertion to procure the allowance of them from Kentucky and the United States out of the land transferred to them as a mere gift and without consideration, which land was mortgaged to the soldiers for the payment of his debt? Virginia will not say to the soldier, "go and ask Kentucky and the United States for your reward, I have transferred to them the only means I had of paying you."

The soldier might justly reply, "With you the debt was contracted, and from you we expect payment." The titles to so much of the land as Kentucky has authorized to be surveyed being now complete, and that being the primary object of establishing the office which I fill, it is for the Legislature to determine how far the other objects to which I have called their attention may require a continuance of it. If Virginia determines to take no further step in the business, there is no necessity for the continuance of the office.

I am, &c.

J. BLAIR TO THE GOVERNOR.

Soliciting appointment to Captaincy of the guard at the Lexington Arsenal, with testimonials numerously signed.

Nov. 28,
Rockbridge

WM. ARMSTRONG TO THE GOVERNOR.

Recommending Capt. Francis Stribling, late of the U. S. A., for Captaincy of the guard at the Lexington Arsenal.

Dec. 11,
Washington

T. CADWALADER TO THE GOVERNOR.

1826.
Dec. 16,
Phila-
delphia

The sword for Captain Henley has been delivered to me by Mr. Harvey Lewis, the manufacturer.

The work appears to me to be in all respects well executed.

I will direct the sword to be put into a case, and it will be forwarded according to your directions.

The other swords are in train, and are promised to me in the Spring. There is only one artist who can ornament the blades, and one other who is competent to do the chasing of the mounting in proper style.

The price of the sword now finished, would be acceptable to Mr. Lewis.

I am, &c.

ALLEN TAYLOR TO THE GOVERNOR.

Dec. 29
Liberty

A few days since, on my way to this place, I had the honor of receiving your Excellency's letter of the 16th instant, enclosing me the commission of Judge of the Chancery Court for the Staunton, Wythe, and Greenbrier Districts, in the place of Judge Brown, dec'd. If I could receive any additional gratification to that derived from a knowledge of the confidence in me manifested by the Legislature of my native State, it would be from the very polite and obliging manner in which your Excellency has been pleased to make the communication.

I am, &c.

ROBERT TRIPLETT TO THE GOVERNOR.

1827.
Jan. 27,
Frankfort,
Ky.

The Legislature of Kentucky having adjourned without finally acting on the subject of the claims to military bounty land south-west of the Tennessee river, I am constrained to express my belief that the claimants of said land have now little hope but from Virginia or the United States.

Again this subject was referred to the judicial committee who reported on it as the said committee did the year before, yet this report has neither been concurred in nor rejected.

Begging leave to refer to my former communications as containing all that I have to say on this subject,

I am, &c.

A. P. UPSHUR TO THE GOVERNOR.

I had the honor some weeks ago to receive your letter enclosing my commission as Judge of the General Court.

1827.
Jan. 31,
Richmond

I have not hitherto acknowledged it because I considered it my duty to remain in the House of Delegates until certain subjects of deep interest to my constituents, and on which they had particularly instructed me, should be disposed of.

The time has now arrived when it becomes proper that I should no longer delay the acceptance of the new office which has been conferred on me.

I avail myself of this occasion to express to the Legislature my grateful sense of the high and distinguished proof of confidence with which they have honored me, and I pray you to accept for yourself my sincere acknowledgements for the polite and friendly terms in which you have communicated to me that flattering event.

I am, &c.

WM. LORMAN (AGENT B. & O. R. R. Co.) TO THE GOVERNOR.

Requesting one of the new maps of Virginia for the use of the Baltimore & Ohio R. Road in making the preliminary explorations through the State for said Road.

March 9,
Richmond

WM. MATHEWS TO THE GOVERNOR.

The undersigned, petitioned the Legislature of this State for the loan of Arms for the use of the Students of the University; he sees that the Executive are authorized to furnish an hundred on the terms which he suggested. The undersigned wishes the bond drawn and sent to him to fill; he will then return it and get the Adj't Gen'l to forward the Arms by the first opportunity.

March 27,
Charlottes-
ville

To dissipate any doubts which might be entertained respecting the authority of the undersigned in thus acting, he encloses the certificates of Messrs. Madison and Cocke, and the resolutions of the Faculty of the University.

The immediate attention to this, will greatly oblige the undersigned, as his school will be in want of the Arms.

I am, &c.

1827.

Jan'y 15th, 1827.

SIR,—Being desirous of continuing my military school at the University, I address you for the purpose of ascertaining whether or not the arrangements I propose will be agreeable to you.

I understand from one of the members of the Faculty that they could not grant me the privileges which I requested, but was told by him that the power was vested in a member of the E. Com'e.

I have found by experience the necessity of arms; without them the school cannot meet with that encouragement which is necessary for its continuance. I have concluded to apply to the Executive of the State, on my own responsibility, for as many arms as may be necessary, if you will give the students who attend the exercises leave to use them. If you are pleased to grant this privilege, be so good as to give me a certificate to that effect, which I expect will be required by the Executive. I have also (for the one is unnecessary without the other) to request the use of a room in one of the unoccupied pavilions for a depository for the arms. I will have a frame made to support them so that the room can sustain no injury; if any, I will be responsible for the same. In the same pavilion I should be pleased to have a room for myself, for which I will pay the rent of a dormitory, and give it up whenever required. If you accede to this, be so good as to inform Mr. Brokenbrough of the same.

For the good government of the school, I shall, if it goes into operation, require those students who place themselves under my instruction to strictly observe and comply with the following regulations as respects the arms, &c.:

On Tuesdays and Thursdays in the morning, and Saturdays in the evening, the students will be exercised one hour each day. Of this exercise due notice will be given by the ringing of the bell.

Any student who shall injure a musket while in his possession or otherwise shall be accountable for the same.

If any student shall, after having been marched to the proper depository for the arms, refuse to deliver his musket to the Janitor or such person as may be authorized to receive it, his conduct by that being prejudicial to the good government of the school, he shall not only be reported to the faculty, but deprived of a place in the military school.

Such being the regulations, I am of opinion that no danger can be apprehended. If any should occur, I shall endeavor to take such measures as are calculated to put an end to them.

I am, &c., your obed't servant,

WM. MATHEWS.

I concur with General Cocke in opinion that Wm. Mathews may, with the approbation of the Faculty, and subject to the further order of the visitors, proceed with a school of military instruction in the Univer-

sity according to the arrangements above proposed, and that he be allowed the use of an unoccupied pavilion under regulations to be prescribed by the Proctor.

1827.

JAMES MADISON.

Montpelier, Feb. 12th, 1827.

I concur with Mr. Madison in opinion that Mr. Wm. Mathews may, with the approbation of the Faculty and subject to the further order of the visitors, proceed with a school of military instruction in the University, and that he be allowed the use of an unoccupied Pavilion under regulations to be prescribed by the Proctor.

JOHN H. COCKE, of the Execut. Com'tee.

At a Meeting of the Faculty of the University of Virginia, on the 21st of February, 1827—

Resolved, that Mr. Mathews, having obtained the sanction of the Executive committee of visitors to renew his military school in the University, and having an intention of applying to the Executive of the Commonwealth for the use of arms for such school, and desirous of obtaining the permission of the Faculty for the students to use the said arms in their military exercises, the said permission is hereby granted by the Faculty on the terms prescribed in his letters to the Faculty and Visitors: provided the Executive think proper to grant him the use of arms at his own instance and on his own responsibility.

An extract from the minutes.

WM. WERTENBAKER, Sec'y.

Articles of agreement made and entered into this first day of May, eighteen hundred and twenty-seven, between William B. Giles, Governor of the Commonwealth of Virginia, and acting in that capacity for and on behalf of said Commonwealth, on the one part, and Herman Boye, of the city of Richmond and Commonwealth aforesaid, on the other part: Whereas, by an act of the General Assembly, passed on the ninth day of March, one thousand eight hundred and twenty-seven, entitled "An act providing for the publication and sale of the Map of Virginia, and for other purposes, the Executive were authorized to contract with some person for the publication of four hundred copies of the Map from the plates already engraved, and also to have the said Maps reduced and engraved on a scale of ten miles to the inch, and to publish eight hundred copies of the maps so reduced; and whereas the Executive have agreed to certain proposals made by the said Boye for performing the requisitions of the act aforesaid, so far as relates to the reduction of the Map and the publication of the maps therein mentioned; Now, These

1827. presents witnesseth that the said Herman Boye covenants and agrees to, and with the said Wm. B. Giles, acting as aforesaid, and his successors in office, that the said Boye will well and truly publish, or cause to be published, four hundred copies of the maps from the plates already engraved, said maps to be printed and completely finished in the best manner, at the expense of said Boye, further undertaking to furnish a map reduced from the first mentioned, on a scale of ten miles to the inch, and to have the same engraved, and eight hundred copies published and completely finished in the best manner, all of which is to be done at the expense of him the said Boye, and all of the maps finished as aforesaid to be delivered at the expense and risk of said Boye, in the Capitol in the city of Richmond, on or before the first day of December next.

The said Boye also agrees to pay the expense of conveying or transporting the plates from which the larger and smaller maps shall be struck, from Philadelphia to Richmond, whenever the Executive shall order the removal of said plates. And the said William B. Giles, acting as aforesaid, covenants and agrees to, and with the said Giles, on behalf of the said Commonwealth, will well and truly to pay or cause to be paid unto the said Boye, the sum of six thousand dollars, appropriated by law for the reduction and publication of the said Map, in full satisfaction of all the services and undertakings to be rendered and performed by the said Boye by virtue of this contract, that is to say, whenever two hundred or more copies of the large maps shall have been finished and delivered according to the true intent and meaning of this agreement, he, the said Boye, is to receive the price of six dollars for each and every copy so finished and delivered, and the remaining sum of the six thousand dollars to be paid to the said Boye when all the maps which said Boye has hereby undertaken to publish, shall have been finished and delivered as aforesaid.

In witness whereof, the parties have hereto set their hands and seals the day and year first above written.

(Signed) WM. B. GILES,
H. BOYE.

Teste: Wm. H. Richardson, as to W. B. G. and H. B.
Tho. T. Giles.

PHILADELPHIA, *May 7th, 1827.*

Received of the Governor of the State of Virginia, by the hands of Thomas Cadwalader, Eight hundred dollars in full payment for the Swords prepared for the nearest male relatives of Major Andrew Hunter Holmes and Captain John Ritchie.

(Signed) HARVEY LEWIS.

\$800.

T. CADWALADER TO THE GOVERNOR.

Enclosed is a Bill of Lading for a Box shipped on board the Schooner Fox, Captain Lewis Bemard, containing the two Swords prepared for the nearest male relatives of Major Andrew Hunter Holmes and Captain John Ritchie.

1827.
May 14,
Phila-
delphia

In regard to the death of Major Holmes, little is to be gathered from the Official Report of Major Croghan, except that Major Holmes fell immediately after the landing below the heights of Michillimacinac while attempting to execute an order.

Governor Tyler's letter to me states that "he has it from a friend as a piece of well authenticated history, that when in the act of falling, his men paused with a view to render him personal aid, he used the expression, 'go on, never mind me;' thereby evincing a mind only solicitous for the glory of his country and indifferent to his own fate." Of this latter incident it is proper to mention that Col. Croghan, of whom I made inquiries on the subject, had no knowledge. The Blade is ornamented with a view of the works of Michillimacinac and a representation of the landing of the troops in the harbour.

On the other Blade, Captain Ritchie is seen at the moment of receiving his first wound, in the interval, between the first and second battalions, from the right between his two pieces, supported by a soldier, and pointing with his sword to direct the fire upon the Enemy. General Scott, at that time, passing Ritchie's battery, learned that he was badly wounded. On inquiring, however, of the Captain, he said it was but a trifle—his arm at the same instant dropped, and a stream of blood gushed from the sleeve. The General acquiesced in his entreaties to let him remain, and he closed his short career of glory some distance in advance of that position opposite to the British battery of nine heavy pieces. The body was found after the Enemy had finally dispersed, covered with many wounds.

On the reverse of the blade is a sketch of the Falls of Niagara, and in the foreground an officer dying on the gun his valor defended.

I have to thank you for your very polite letter of the 6th instant. If on inspection, the swords should meet your approbation, I need hardly say that I will be highly gratified.

I am, &c.

SAM'L L. SOUTHARD (SECT'Y U. S. N.) TO THE GOVERNOR.

I have had the honor to receive your communication of the 30th of May, inclosing a letter to Capt. Robert Henly, and have this day forwarded

June 2,
Navy
Department

1827.
June 2,
Navy
Department

it to him at Charleston, S. C'a, with permission to be absent from his Station that he may attend at Richmond when the Sword is to be presented.

I am, &c.

II. BOYE TO THE GOVERNOR.

July 2,
Phila-
delphia

Reporting progress in the publication of the maps contracted for by him, and asking permission to make a donation of one of them to the American Philosophical Society, from whom he had received many courtesies during his labors in the preparation of the map.

JOS. C. CABELL TO THE GOVERNOR.

August 15,
Warminster

By an act of the last Legislature, the public Journals from the year 1776 to the year 1790 are required to be reprinted.

There may be some difficulty in procuring a complete set of these Journals, and I am authorized by Mr. Madison to tender the use of any part of his collection which might be desirable, to the Executive on this occasion. I was on the way to see you on this subject, and to pay my personal respects to you, when I was last in Richmond, but was withheld from calling, as I had been on a previous occasion, by hearing that your health was not in a state to admit of your receiving company.

I am, &c.

COUNCIL CHAMBER, Oct. 24th. 1827.

The Committee appointed by Advice of Council on the — day of —, and by another advice of Council on the — day of —, for the purpose of selecting Books for the Public Library and making purchases with the monies then in hand (which could be legally so used), beg leave most respectfully to Report that they have performed the duties assigned them, and have received from Messrs. J. H. and T. Nash, Merchants of the city of Richmond, whom they employed as purchasing agents, Books to a *larger amount* than the sum deposited in their hands for the purpose of making purchases.

The following remarks and the documents therein referred to, will present a clear view of the manner in which the committee have performed the duties assigned them :

The General Assembly of Virginia in making provision by law for the establishment of a Public Library, intended, without doubt, that the

1827.

ary so established, should be for the use of Public Officers of every Department of the Government—*Legislative, Executive, and Judicial*. Every words of the Law shew this. The Committee knowing that it was the intention of the General Assembly in passing the Law establishing a Public Library, would have felt it an indispensable duty to select and purchase in *equal, or nearly equal, proportions* books suitable for the officers of each Department of the Government, but for the following considerations, which have induced them to purchase with a sum of money at their disposal, principally *Law Books* :

1. The fund was small, and if it had been equally distributed in purchasing Law Books, Political, Historical, Philosophical, Scientific, Literary, and Miscellaneous works, the small Library so formed would have been of little or no use to the officers of any department of the Government. The Library fund is now increasing, and will continue to increase. The Committee entertain the hope that the Legislature will, in time, add greatly to the fund already created by Law for the purchase of a Public Library. The same spirit of wisdom which caused the founding of a Public Library, will surely foster and protect it until it shall become an honor and lasting blessing to the Commonwealth. A Government which depends for its happy and successful operations, and for its very existence on the diffusion of knowledge among all classes of the Sovereign People, can hardly use the People's money lavishly in supplying the means of acquiring knowledge. The respect which the Committee entertain for the Legislature, forbids that they should feel a momentary suspicion of a failure hereafter to supply, with a liberal hand, sufficient means of enlarging and completing the Public Library.

The moneys which are now accruing, and will hereafter accrue, from the sales of Books and maps provided for by Law, and the appropriations which will probably be hereafter made by Law for the gradual increase of the Public Library, may be used as this Department shall see fit, in purchasing a *General Library*.

No evil, therefore, can arise from the course taken by the committee. Finally. The Committee decided to use the monies subjected to their control by the several advices of Council before mentioned, principally for the purchase of *Law Books*—because at this time they are *most wanted*. Judges of the Supreme Court of Appeals petitioned the Legislature the year for a Library for their use. In their petition they alleged that their Docket was alarmingly large—that the business of the Court necessarily progressed slowly, because of the want of Books of authority for reference—that causes were rapidly accumulating on their Docket, that the business of the Court progressed so slowly as almost to amount to a denial of Justice. That a well selected and sufficient Library for the use of the Court would in a great measure remove the evils com-

1827. plained of by enabling the Judges to dispatch business, and furthermore would ensure a more correct decision of causes.

The Legislature granted the prayer of the Petition, but at the same time wisely provided for the establishment of a Public Library for the use of the Officers of *all the Departments of the Government*. As the immediate and great want of Books for the use of the Court of Appeals, caused the Legislature to establish the Public Library, the Committee have thought that they committed no error in applying the first monies which came into their hands, principally to the purchase of Books for the Court of Appeals. For these reasons the committee have selected principally Law Books; but among the purchases made by them will be found many other valuable works.

Document A. herewith filed, contains an agreement and receipt of Messrs. J. H. and T. Nash. The agreement obliges Messrs. J. H. and T. Nash to purchase Books for the State of Virginia agreeably to Catalogues furnished, or instructions given by the Executive at the discount usually allowed by Booksellers to Booksellers—to render to the Executive satisfactory accounts of their purchases, and to deliver to the Executive or their order, the books so purchased, at the Capitol in the City of Richmond, at the risk, costs and charges of them the said J. H. and T. Nash. For all which they were to receive a compensation of ten per centum on the reduced value of the Books, or in other words on the amt. of purchases so made. The Receipt was given by Messrs. J. H. and T. Nash to Wm. B. Giles and John H. Smith, two of the Committee of the Executive, appointed to select Books for the Public Library, &c., for the sum of \$931.29 to be applied in conformity with the before mentioned agreements to the purchase of Books for the Public Library.

Document B. is an account for the Am't of sundry Books furnished by Messrs. J. H. and T. Nash, and delivered in the Council Chamber prior to the 23rd August, 1827, the date of the receipt above mentioned, and annexed to this Account is a receipt for the sum of \$247.75, the price given for the Books. This last mentioned sum added to the sum of \$931.24 (which is the Am't of Receipt A) will make the sum of \$1,179.04, and this last mentioned sum is the whole amount of monies subject to the control of the Committee, as will appear by Messrs. Wm. H. Fitzwylson and J. H. & T. Nash's general statement, and the certificate of the proper Officer of the Farmers Bank of Virginia herewith filed, marked C. C. Document D., herewith filed, is an Account rendered by Messrs. J. H. & T. Nash against the Commonwealth of Virginia for Books purchased, in which they bring the Commonwealth in debt to them the sum of \$107.71. With respect to this Account, the Committee have to make the following remark: Messrs. J. H. & T. Nash have taken off from a part of the Am't of the purchases, *only* 15 per centum. The amounts of the purchases made by them of Book sellers

1827.

in Philadelphia and New York (which are also filed herewith) will shew the rates at which Messrs. J. H. & T. Nash *actually purchased* in their cities. If these rates are such as govern sales from Booksellers to Booksellers, and Messrs. J. H. & T. Nash have afterwards taken off 15 pr. ct. from a part of the Am't of purchases, they have sold to the State on most advantageous terms.

The prices set upon the Books furnished, are in many instances very low, much lower than the selling Cash prices, but the Committee cannot undertake to say that the discount from the whole amount of purchases (speaking in reference to the usual retail prices) has been sufficient. They believe, however, that the Commonwealth has not been injured.

The foregoing remarks, statements, and accounts present a full view of all the acts of the Committee done in pursuance of the several advices of Council before mentioned.

The Books which have been purchased, are now in the possession of the Clerk of the Council, who was requested by the Committee to take charge of them and keep them safely until the Legislature shall make further and other legal provisions for the Public Library. He has, of course, encountered much trouble in receiving them and packing them away, and it is respectfully submitted that a moderate compensation ought to be allowed to him for his trouble.

The Committee cannot close this Report without respectfully suggesting the propriety of an application (in the usual form to the Legislature at its next session) to make provisions by Law for a house or room for the Public Library, for the appointment of a Librarian, and to establish rules and regulations for the government of the Library. The Committee will also further suggest (as its functions have now ceased) the expediency of appointing a standing committee of the Executive, whose duty it shall be to superintend the interests of the Public Library (within the limits of the power of this Department), and purchase Books from time to time, as opportunity may offer, and as the accruing and increasing Library fund may furnish.

All which is most respectfully submitted.

WM. B. GILES,
JOHN CAMPBELL,
JOHN H. SMITH.

JOS. C. CABELL TO THE GOVERNOR.

Since my arrival in this place, I have examined with some care all the book presses of the late Judge Tucker, and regret that my search for the Journals of the Senate, which are wanted to enable the Executive to complete the publication of the Journals from 1777 to 1790, has

Dec. 24,
Williams-
burg

1827.
Dec. 24,
Williams-
burg

proved fruitless. I cannot discover in Mr. Tucker's collection any Journals whatsoever of the Senate. Your letter to Mr. Tucker of Nov'r 8, has been put into my hands by Mrs. Tucker, with a request that I would answer it.

I believe the Journal of the May Session of the House of Delegates for 1782 has been obtained by Mr. White from some other quarter since the date of your letter. It is not in the list furnished me by Mr. White. Be that as it may, I cannot find it in the collection of Mr. Tucker. I regret exceedingly that my effort to aid you should be so abortive.

I am, &c.

JAMES MONROE TO THE GOVERNOR.

1828.
March 25,
Loudoun Co.

Having deemed it proper on my retirement from the high office which I lately held, to submit to the consideration of Congress certain claims founded on my missions to Europe, in the settlement of my accounts, for which I thought that justice had not been rendered to me, it became necessary to give an illustration of the subject in many circumstances connected with each mission, and to state facts and present documents in support of them, which had never been so fully disclosed before.

As I represented in those missions my fellow-citizens throughout the Union, I have always held in the highest estimation their good opinion: it is important to me that the evidence of my conduct in them should be preserved in each State, and with that view I transmit to you the enclosed * Memoir, with a request that you will have the goodness to deposit it among the archives of the Executive of this my native State.

I have the honor to be, &c.

* This printed Memoir, together with the original of the above letter, have been placed in the Library for preservation.—ED.

II. BOYE TO THE GOVERNOR.

Jan. 29,
Richmond

I have now the satisfaction to inform you that the remaining 550 small maps, that is to say 450 on rollers and 100 in portable form, together with 12 copies of the large map which were furnished in lieu of the damaged ones, have all been delivered.

As I am very desirous to make remittances to Philadelphia as soon as possible, I have to request of you the favor to order the balance due me on my contract, together with \$72 for the 12 additional large maps.

to be paid to me when you are satisfied that they are all executed in the manner required.

I beg leave here to call your attention to the plates of both the maps. They are at present in Philadelphia locked up in a box made for the purpose of containing them.

Should you deem it expedient to have them forwarded to this place immediately, I will take care that it shall be done by the first opportunity.

I am, &c.

RICHMOND, *Jan'y 29th, 1828.*

The undersigned have counted and examined two hundred and four of the small maps of Virginia on rollers, and fifty in portable form delivered by Mr. Boye, and find them in good order.

SAM'L COLTON.
D. BRIGGS.

W. C. RIVES TO THE GOVERNOR.

I have received by the mail this morning an official notification that I had been appointed by yourself, as Governor of Virginia, with the advice of the Council of State, one of the Visitors of the University of Virginia. In apprising you of my acceptance of this important trust, I beg leave to express to you and the members of the Executive Council my profound sense of the flattering confidence manifested by it, and to assure you of the earnest solicitude I shall feel to acquit myself of its duties in a manner corresponding with their delicacy and importance.

March 27,
Washington

I am, &c.

The undersigned, who were appointed a committee to enquire as to the practicability of investing the Washington Monument fund in permanent productive stocks, have performed that duty, and now submit the following report:

They have addressed themselves to the most intelligent and experienced gentlemen in this city, who have daily transactions in the purchasing, selling, and transferring of public securities. They have been informed that six per cent. stocks of the United States are at this time of difficult attainment, and indeed can only be procured at considerable premium, but they believe that stock created by the State of Virginia, yielding an interest of 5 per ct., can be procured at an advance of 2½ per centum,

1828. and they further state that this last description of stock is the cheapest which can be procured in the market, and is in our opinion preferable to any other.

P. V. DANIEL,
W. F. PENDLETON.

March 28th, 1828.

STAUNTON, *July 11th, 1828.*

We have the honor to acknowledge the receipt of your letter of the 25th ultimo, advising us that you could not act under the notice we communicated to you on the 20th ultimo, in relation to the Western Lunatic Hospital "being so far completed as to be ready for the reception of patients on the 25th of July next," it not being such a notice as the Act of Assembly requires.

The language of this notice was framed without a reference to the Law, and was adopted to prevent patients being brought to this place before the day appointed by the Directors for their reception, and to give time for the completion and arrangement of the necessary furniture, and putting up temporary enclosures to prevent the escape of patients. The Directors were induced to adopt this plan in preference to waiting another year for the permanent brick enclosures around the building, as they believe from the number of applications from different parts of the Commonwealth, there are many persons confined in the County jails waiting for this institution.

The Hospital with the necessary kitchen is finished, and all the furniture that is believed is necessary has been procured, and a Superintendent and Physician appointed, whose services are to commence on the day that the institution shall go into operation.

We have the honor to be very respectfully,

WM. CLARKE,
WM. KINNEY,
NICHOLAS C. KINNEY.

Committee on behalf of the Directors.

JOHN TYLER TO THE GOVERNOR.

Dec. 15,
Washington

During the last session of Congress, Mr. Tazewell and myself rec'd under cover from you the copy of a resolution of the General Assembly instructing the senators from Virginia to use their best exertions to procure the passage of a law appropriating a part of the public lands in relief of the officers and soldiers of that State whose revolutionary land claims remained unsatisfied by reason of the deficiency of the reserve made for that purpose.

We deemed it best to postpone all efforts in this behalf until the present session, and are now prevented from moving in it only from the want of certain information which we esteem to be essential. I presume that this information is to be found among the Ex. archives of Virginia, and may be embraced under the following heads—viz.: 1. Evidence of the fact of the deficiency. 2. The extent of that deficiency. 3. The number of unsatisfied claims. I should be indebted to you for information on the above points, along with such other as you may esteem it material or useful for us to possess.

1828.
Dec. 15,
Washington

I am, &c.

LITT'N W. TAZEWELL TO THE GOVERNOR.

I have the honor to acknowledge the receipt of your letter of the 6th Inst., enclosing the authentication of the certificate of my re-election to the office of Senator for the State of Virginia, in the Congress of the United States, for six years, to commence with the fourth day of March next. Permit me to assure you, Sir, that I receive this new testimonial of the "approbation and undiminished confidence" of the General Assembly of Virginia in the spirit which such an expression of their opinion is so well calculated to inspire. Let me also beg of you that you will be pleased to make known to that body, in any mode most respectful to them, my acceptance of this appointment, and to accept yourself my grateful acknowledgments for the very kind manner in which you have been pleased to communicate to me the information of my re-election.

1829.
Feb. 12,
Washington

I am, &c.

CON. ROBINSON TO THE GOVERNOR.

In examining the records of this office, I have lately had under my inspection several old books, in which there is mingled with the judicial proceedings of the Colony, much miscellaneous matter illustrative of its early history.

Feb. 20,
Gen'l Ct.
Office,
Richmond

One of the books contains a record of the acts that were passed at "a Grand Assembly summoned the 6th of January, 1639." Upon reference to the first volume of Hening's Statutes at large, page 224, it will appear that only an abridgement of the acts of 1639 is there published. That abridgement was taken from a manuscript belonging to Mr. Jefferson, which contained as much of the Acts of 1639 as was then known to exist.

In the book to which I have referred, the Acts thus abridged in the

1829.
Feb. 20,
Gen'l Ct.
Office,
Richmond

statute book are copied entire with the exception only of a few words and syllables. The deficit in this respect, is accounted for by the intrinsic evidence which the record itself exhibits. It is evident that it was made at a period long subsequent to that at which the acts were passed, and at a time when the original manuscript (from which the record was made) was so obliterated that some words and syllables could not be decyphered.

The General Assembly having heretofore expressed their opinion of the expediency of preserving and publishing such of the ancient statutes as were extant, it seems to be but an act of propriety to make known the existence of any which will render more complete the publication already effected. Influenced by this consideration, I have caused a copy of the Acts, which have been specified, to be made from the record book referred to; and that copy I herewith transmit in order that you may communicate the same to the General Assembly, if in your judgment that course shall be proper.

I am, &c.

GEN'L LAFAYETTE TO THE GOVERNOR.

Feb. 26,
Paris

It is only since the departure of the last packet, that your Excellency's message to the General Assembly has informed me of the new obligations conferred upon me by the representatives of the State of Virginia, and of the measures kindly taken by her Governor; so that owing to a series of accidents, in which nobody was to blame, altho' I deeply regret them, this is the first day when I am enabled to acknowledge the reception of the precious gift and the resolution accompanying it, and of your Excellency's letter, all of which highly gratifying to every sentiment of my heart, could not but fill it with a sense of lively and profound gratitude.

Bound as I have been during half a century to Generous and patriotic Virginia, not only by the general devotion of an American veteran, but also by the particular ties of State convictions, State confidence, and State favors, of which I was the conscious and happy object, I have been truly delighted at the recent mark of remembrance, esteem, and affection which you have had the goodness, in so very kind terms, to announce. The maps themselves, each in its scale, are admirably executed, and their being American productions does not fail to enhance the feelings of pride and gratification with which they have been received.

While on perusing the beautiful maps, every spot offers special recollections of the trust reposed, of the assistance bestowed on me in trying times by the people of Virginia and their civil authorities, as well as of

the courage and perseverance of their militia, in common with their gallant northern companies in arms, not unmindful of the Virginia sympathies in their behalf at the earlier period of the Revolution. I am also at every place, happy to remember the affectionate welcomes conferred by the citizens of Virginia on their old grateful soldier, and again to enjoy the emotions that have been excited by the improvements I have witnessed and the anticipations we are warranted to form.

1829.
Feb. 26,
Paris

The kind participation of the members of the Honorable Executive Council in the sentiments you have been pleased to express, calls for my lively sensibilities and respectful acknowledgments.

I beg you, Sir, to lay before the Honorable General Assembly an homage of my warm gratitude, constant devotion, and profound respect, and to accept the utterances of my high, thankful, and affectionate consideration.

LAFAYETTE.

W. C. RIVES TO THE GOVERNOR.

Having recently accepted an appointment under the Federal Government, I beg leave to notify to you the fact, and in consequence my resignation of the seat I have the honor to hold by the favor of my fellow citizens in the Congress of the United States.

May 16,
Albemarle
Co.

The same circumstance imposes upon me the necessity of surrendering, which I assure your excellency I do with many painful regrets, the highly interesting appointment of visitor of the University of Virginia, for which I was indebted to the flattering estimate of my qualifications made by yourself and the Council of State, which I take this occasion again to acknowledge with the sensibility called for by so distinguished a mark of the confidence of the Government of my State, and to tender to yourself and the members of the Privy Council respectively, the vale-ictory expression of my cordial wishes for the health and happiness of each of you.

I am, &c.

VARNER ROAN (COM'D'T 109TH REG'T MILITIA) TO THE GOVERNOR.

This is to inform you that I have (from information from Gloucester County last evening by express stating a contemplated insurrection of the slaves in this and the adjoining counties) thought fit to call out a part of 109th Reg't to suppress the same, which I have ordered out in detailed parties to patrol.

July 13,
Churchville

Should it appear that all is going on quietly upon investigation, I will discharge the militia so convened by me; meanwhile, Sir, would

1829.
July 13,
Churchville

be glad to receive a communication from you on the subject of my proceedings.

I am, &c.

P. S. Should this alarm be well founded, we are in a helpless situation for want of arms.

W. H. PERKINS TO THE GOVERNOR.

July 15,
Richmond

I have assumed the liberty to inform you of a subject, which, perhaps, you are unapprised of, and of which you should be informed, and which probably you may be.

It is the insurrection of negroes in the counties of Mathews, Gloucester, Isle of Wight, and the adjoining counties. It appears to be a general thing. All the jails are crowded with negroes, and the militia generally have been called out in the neighboring counties, particularly from the County of New Kent, and sent over to Mathews, whilst volunteer companies have been ordered to patrol.

The information derived is from numerous sources, and seems too authentic to be questioned. Mr. Francis Foster was to see me to-day, who said he had lately seen Mr. John B. Clopton, from New Kent, who confirmed the subject as mentioned above.

The veracity of both gentlemen can be relied in. Besides, I saw a gentleman who had seen the man who carries the mail from this place to Mathews, and he said it was a certain fact that Mathews jail was crowded with negroes, and kept guarded. If you can give credence to what you have heard, you know well what should be done for the preservation of our lives and county.

I am, &c.

CATESBY JONES (COL. 21ST REG'T) TO THE GOVERNOR.

July 18,
Gloucester

On the 11th of this month I rece'd information that there was some danger of an insurrection among our negroes.

I was called on as Commandant of the 21st Reg't by many of our most respectable citizens, to call forth a portion of our Reg't to patrol the County, and to ascertain the truth of this report.

The troop of cavalry is the only company in our County (that has any arms, and that but badly equipped with arms), and was the only resort for this duty. The report came to our Court house on a public day, when there were many of our inhabitants assembled, and among the rest Capt. Thomas Dabney, the Capt. of our cavalry, who rece'd orders

orthwith to assemble his company, divide it into squads, and patrol the whole county. This duty was performed to my satisfaction from Saturday, the 11th, until the Tuesday following, on which day they were discharged. The law does not provide for the militia to be paid for such services by the County, and as the duty before described was performed by Capt. Dabney and his company, with great propriety and promptness, I now give the information to the Executive, that they may be enabled to receive such compensation as the law allows. I hope to receive an answer to this communication in due time. I think it useless to detail the circumstances which induced this call on the Militia of our County. It corresponded with the view of every man with whom I conversed on the subject, and although we now hope there was no reality in the report of an organized insurrection, yet we are all satisfied that our activity and vigilance on this occasion will produce a good effect, and put a stop to what no doubt was in the minds of the slaves, and which otherwise might have been matured, and very serious consequences the result.

1829.
July 18,
Gloucester

I hope the Executive may make an order for this Company to be informed as to how and when this will be done.

I am, &c.

CHRIST'N TOMPKINS TO THE GOVERNOR.

Informing that the common belief among the negroes of his county was, that the State Convention had been elected to decide on the question of their emancipation. That emancipation would be proclaimed at the next August Court. In case of failure, there were some who advocated insurrection.

July 18,
Mathews
C. H.

BOWLEY STARKE TO THE GOVERNOR.

Informing of the excitement and alarm in his county at the reports of Insurrection, and of the destitution of Arms among the Militia suitable for defence.

July 26,
Hanover

JOHN TAYLOR LOMAX TO THE GOVERNOR.

By the last mail, I received from the Department over which you have the honor to preside, a commission of Judge of the General Court. I am extremely sorry that imperious considerations compel me to decline the Office with which the commission would invest me. I am unspeakably grateful to the Assembly for the honor which they have conferred upon me. Gratitude for this mark of distinction, and an ardent

1830.
Jan. 4,
University
of Virginia

1830.
Jan. 4,
University
of Virginia

desire to serve my country in any station to which I may be called, would have induced me most cheerfully to accept the appointment and to devote every faculty to the fulfilment of its duties. Since the date of the Commission, however, indications which I had not foreseen, and contradicting in some respect what I had anticipated, admonish me that uncertainty may possibly be hung over the tenure and emoluments of the Office; an uncertainty which must necessarily fill the acceptant with apprehensions, and involve in hazard the best interests of his family. Whilst the Office may be thus overshadowed by contingencies, I hope the considerations I have alluded to, will justify one circumstanced as I am, from declining its acceptance. In declining it, however, there is much consolation in the reflection that I shall be continuing to devote myself in an Institution connected with the best interests of the State, and, under her immediate patronage, to the instruction of her youth in the elements of her Jurisprudence, an occupation hardly less useful to the public than that of its practical administration upon the Bench. Had I consulted my own wishes, I would have deferred my determination as to accepting or declining the commission, but I have thought that I had no right to consult my own personal convenience, when it was obviously so important to the State, that there should be as little delay as possible in filling the vacancy.

I am, &c.

JOHN TAYLOR LOMAX TO THE GOVERNOR.

Jan. 13,
University
of Virginia

I want words to express my acknowledgement for the kindness and civility displayed in your favor of the 8th, which was received by yesterday's mail. I have determined to abandon those fears which induced me to return the commission as Judge of the General Court and to comply with the invitation of my country to serve in a Judicial capacity. If the manner in which the appointment was made by one branch of the Government has filled me with the deepest gratitude, I owe an obligation which will not be less gratefully felt to another department of it for preserving the appointment to me when about to be discarded under a sense of duty which I supposed I owed to my family.

So soon as the commission is returned, I will hasten to comply with those solemnities which the Law has prescribed to invest me with the office it confers.

I am, &c.

P. P. BARBOUR TO THE GOVERNOR.

Having accepted the office of District Judge of the United States for the Eastern District of Virginia, I hereby resign my seat as a member of the House of Representatives, so that the Executive may issue a writ of election to supply the vacancy.

1830.
Oct. 15,
Frescati

I am, &c.

ROBERT TRIPLETT TO WM. H. RICHARDSON.

Your communication of the 9th Inst. from the Executive Department of Virginia, with copy of the resolutions of the last General Assembly, calling on the Executive for "all information which may be acquired in relation to the unsatisfied claims of the officers, soldiers, and seamen of the Virginia State line during the revolution, to military bounty land within the State of Kentucky, and to ascertain, as far as practicable, the present condition of those lands and the portion thereof which remains unlocated," has been received.

Dec. 28,
Yellow
Banks

In answer I have to say, since my communication of Dec. 22nd, 1825, to the Executive of Virginia, Kentucky has permitted none of the said Warrants to be located within her boundary. On the contrary, all the land subject to their satisfaction which would bring fifty cents per acre has been disposed of.

You say, "Should you be able to throw any additional light upon this subject, be pleased to communicate the information as speedily as convenient."

I have reflected on the subject, and examined my former communication, and find nothing to add to or change in them, but it may not be out of place again to urge upon the attention of the Executive the condition of the military claims which have been laid within the treasury warrant grants. Those warrants, to all intents and purposes, remain unsatisfied, and have an equal claim with the unlocated warrants on Congress or on Virginia for satisfaction, as well as have those military claims which have been surveyed on ground before occupied by military warrants, the condition of both of which classes of claims is set forth at large in my communication of the 22nd of Dec., 1825.

The military claimants, when satisfied that no other redress remains, may attempt to obtain recourse against Virginia through her own courts of justice.

I am, &c.

Note.—The papers for January (except those recorded), and February, June, 1830, are missing.—Ed.

JOHN COULTER TO THE GOVERNOR.

1831.
March 23,
Richmond

I beg leave to notify you as chief magistrate of the Commonwealth of my resignation of my office as Judge of the Court of Appeals and I do hereby resign the same accordingly.

Permit me, Sir, to assure you of my sincere respect and esteem.

I am, &c.

Mar. 23, 1831.

Names presented by the Governor with accompanying testimonials for the appointment of Commissioners for Revolutionary claims:

William Duvall, T. H. Gilmer, A. L. Botts, J. W. Brokenbrough, J. W. Nash, Jno. Nicholas, William Lambert, B. W. Leigh, C. Johnson.

ROBT. B. TAYLOR TO THE GOVERNOR.

April 25,
Norfolk

I received to-day the commission of Judge of the General Court, and Circuit and Superior Court of Law and Chancery, for the first circuit and first District, which was sent to me by mail. Preparatory to its acceptance, I have already addressed to you a letter resigning my military commission of Major General.

I accept this office under a solemn sense of the important and delicate duties it enjoins, and a deep conviction of my own infirmities. Nothing could give me courage to undertake it but the consciousness that I shall carry along with me an earnest and ceaseless purpose to execute it with impartiality and honesty.

I am, &c.

ROBERT B. TAYLOR TO THE GOVERNOR.

April 25,
Norfolk

The Legislature of Virginia conferred on me some years ago the rank of Major General in the militia, and recently the Office of Judge. Preparatory to my acceptance of this last office, I now offer my resignation of the military commission.

I can not terminate my military connection with the Commonwealth without offering to you the assurance that these manifestations of public confidence have been received with the sentiments they ought to inspire. If my heart could ever waver in its loyalty and devotion to my native

land, gratitude alone would impel me to apply all my humble faculties to maintain and perpetuate the honour of a country by which I have been so much honoured.

1831.
April 25,
Norfolk

I am, &c.

J. D. ELLIOTT (Com. U. S. N.) TO THE GOVERNOR.

With a view of promoting the object of a resolution adopted by the House of Representatives, Congress of the United States, on the 25th of January, 1830, and transmitted to me by the Hon. Secretary of the Navy respecting the procurement of such varieties of the Sugar cane and other cultivated vegetables, grains, seeds and shrubs, as may be best adapted to the soil and climate of the United States, I obtained at Havanna in February last a bottle of Tobacco Seed from that variety of the plant of which the best Segars are made in the Island of Cuba.

May 1,
U. S. Ship
Vincennes,
Pensacola

Tobacco being one of the staple productions of Virginia, I have placed this bottle of seed in charge of Purser Fitzgerald, who is about to return to Virginia, with directions that it should be forwarded to you to be disposed of as you may think proper.

I am, &c.

WILLIAM DANIEL TO THE GOVERNOR.

Accepting the commission of Judge of the General Court and of the Superior Courts of Law and Chancery, requesting instructions as to oaths of office and the duties prescribed by law, &c.

May 3,
Lynchburg

A. P. UPSHUR TO THE GOVERNOR.

I beg leave to acknowledge the receipt of a commission as a Judge of the General Court and Circuit and Superior Court, and to inform you of my acceptance thereof.

May 8,
Northampton

I am, &c.

JAMES MONROE TO THE GOVERNOR.

My reduced and weak state of health having rendered it impossible for me to perform the duties of a visitor of the University of Virginia, imposes on me the necessity of resigning that appointment, which I now do in this communication to you. I adopt this measure with great re-

May 14,
New York

1831.
May 14,
New York

gret, as I take great interest in the success of the Institution, which, as well from my affectionate regard for my native State as the support which the institution gives by spreading intelligence among our fellow-citizens to our free system of government, will never cease.

To my best respects to your Excellency and the members of the Council,

I am, &c.

D. CARR TO THE GOVERNOR.

June 15,
Richmond

I received a few days since the appointment you were pleased to confer on me of "Visitor of the University of Virginia to supply the vacancy occasioned by the resignation of James Monroe."

For this mark of your confidence I beg you to accept my best thanks. I should sooner have informed you (as I now do) of my acceptance, but that I have been making enquiries to ascertain whether the duties of visitor might not interfere with my office of Judge.

I am, &c.

THOMAS W. GILMER TO THE GOVERNOR.

June 28,
Charlottes-
ville

I have received your communication of the 18th Instant, informing me that I had been appointed the agent under an act of the last General Assembly concerning certain claims of the State of Virginia against the United States. In accepting this appointment, I would express the hope that with your aid and the favorable consideration of the Federal Government, these claims may be speedily and satisfactorily adjusted, and that justice, which has been long withheld, may be at length rendered to our State.

I am, &c.

A. P. UPSHUR TO THE GOVERNOR.

1832.
April 10,
Williams-
burg

It is my unpleasant duty to inform you that the former Capitol in this City was this day entirely consumed by fire. I am happy, however, to be able to add that all the record books and papers are saved.

The term of the Superior Court of Law and Chancery commenced on Friday last, and will expire on Friday night next. In the meantime it is highly important that the Executive, in pursuance of the power vested in it by Law, should designate some other place at which the future

sions of the Court may be held until provision shall be made therefor by the Legislature. The Court House of James City County is at present the only suitable place for this purpose.

1832.
April 10,
Williams-
burg

Should it be in your power to act immediately upon this subject, much of the business of the present term may yet be dispatched. To enable you to do so, I send this communication by express.

I am, &c.

A Message of Governor John Floyd to the General Assembly of Virginia, together with the Resolutions of the same on the subject of the removal of the remains of General George Washington from Mt. Vernon to the Federal Government, will be found in the Journal and Documents of the House of Delegates of 1831-32, pp. 162-3. Also the letters on the same subject of John Floyd, J. Marshall, Francis T. Brooke, and John A. Washington in same vol. pp. 200, 1 and 2, 226.—Ed.

WM. H. RICHARDSON TO THE GOVERNOR.

I beg leave to call your attention to the enclosed, and to state the evidence mentioned in it is not now nor has it been in the department since my connexion with it.

May 8,
Executive
Department

That it ought to be, there cannot I think be a doubt, and the loss of it seems to indicate the propriety of having an examination and arrangement of the different parcels of papers which are to be found in the roof of the Capitol, that if there be anything of value amongst the rubbish, it may be preserved and deposited in that department of the Government to which it belongs.

There are also a great number of books, to-wit: Journals, documents and Acts of Congress and of the Va. Assembly, for which that part of the Capitol appears to have been used as a receptacle for many years. These should also be examined and arranged. You have several times spoken of the employment of a competent person for this purpose, and I beg leave now to suggest the propriety, if not necessity, for acting on the subject. The books and papers might be removed to some room in the Capitol by the Door Keeper, and the dust brushed off. The examination might thereupon be commenced and probably be completed in two or three months.

Much information in regard to the claims of the officers and soldiers

1832. of the Revolution ought to be found among the archives of the Executive Department. It is not there, and the possibility of finding it, or any material part of it, with the old papers before mentioned, I should think would justify the expense of the examination.

I am, &c.

WAUKANAH, FLORIDA, *April 23rd, 1832.*

William Lambert, Esq'r :

D'R SIR,—I have merely time to acknowledge receipt of your esteemed favor of the 6th Inst., and to inform you that some short time after my father's death, I deposited with the Clerk of the Governor and Council of Virginia, the book in which was noted the information you are seeking relating to the officers of the Virginia Line in the Revolutionary War. I considered it of importance that such a document should be placed in the hands of the Executive for public purposes.

In much haste, I am, Yours truly,

JOHN G. GAMBLE

THOMAS W. GILMER TO THE GOVERNOR.

June 26 I received this morning your communication of the 24th Inst., informing that you wished me to attend to the receipt and transmission to the Treasury of Virginia of the money which will be paid to our State from the United States under the recent act of Congress for adjusting the claims of Virginia against the General Government.

Though I was preparing to attend the session of our Court of Appeals at Lewisburg, I will cheerfully endeavour to perform the duty required, and shall repair to Washington immediately with that view.

Permit me to return you my grateful acknowledgement, Sir, for the kind manner in which you have expressed yourself with regard to the humble part which I have hitherto performed in connexion with this business.

I am, &c.

WYNDAM ROBERTSON TO PETER V. DANIEL.

I deem it proper to send the paper to you announcing the appearance in N. York of the Asiatic Cholera, and ask advice on the propriety of enforcing the Quarantine laws of the Commonwealth against vessels from that place; also whether other and what posts and countries should be embraced, if a proclamation be issued. Also whether special letters of instruction in addition to the proclamation addressed to the different Superintendents of Quarantine be advisable.

1832.
July 5

I submit also for your advice the application for the pardon of Thos. Johnson and the papers therewith.

I am, &c.

It is proper I should add that a message has been received from the Mayor of this City, inviting, on the part of the Executive, the enforcement of Quarantine.

W. R.

JAMES SEMPLE TO THE LIEUTENANT-GOVERNOR.

Your favor of the 8th inst. has been delivered to me with a commission appointing me a Judge of the General Court and of the Superior Court of Law and Chancery for the fourth Judicial Circuit, in the room of William Brown, Esquire, who has resigned that office.

Sept. 11,
Charles City
County

It is with great sensibility that I have received renewed evidence of the confidence of the Executive department, and I trust that my conduct will evince that it has not been misplaced.

Deeply sensible of the high responsibility of the office to which I have been appointed, as well as of the great importance to the community of the regular and correct administration of Justice, I still venture to accept the office bestowed upon me, under the hope that I shall be able, not only to discharge the duties thereof with punctuality, but with benefit to the public and to the Circuit to which I have been assigned. So long as the office shall be entrusted to me by my country, and I can discharge its duties with punctuality and benefit to the public, I shall be content to remain in office, but when from any cause I shall be unable so to discharge my duties, I shall feel myself bound to withdraw, and give place to another, who may be better able to promote the public interest.

I am, &c.

JAMES CABANISS TO THE GOVERNOR.

1832.
Sept. 20,
Williams-
burg

I have been advised to state to you the propriety of disposing of the remains of the Old Capitol including the Walls, and if not the walls, the stone steps as well as the stone floor; in this I fully concur, for this reason that the stone steps are disappearing, and I have but little doubt in a short time all that are of value will be removed.

Should it be deemed unadvisable to dispose of them at present, they can be removed to a secure place with a trifling expense.

I am, &c.

A. P. UPSHUR TO THE GOVERNOR.

October 4,
Northamp-
ton

About six weeks ago, seventeen or eighteen slaves belonging to different persons in this County, stole a large boat from Mr. Peter Bowdoin, and sails from Mr. Eyres and absconded with them to the city of New York where it is ascertained they arrived in safety and probably still remain.

The owners have employed Mr. William S. Floyd to regain possession of them, not only on account of their value as property, but also that they may be duly tried for the felony above mentioned.

Mr. Floyd will lay before you full evidence of all the important facts of the case.

The object of Mr. Floyd's application to you is to obtain from you as the Executive of Virginia a demand on the Executive of New York for the surrender of these people under the second section of the Fourth article of the Constitution of the United States. I do not, of course, presume to offer any suggestion as to the extent of your powers over this subject, but the persons interested, seem to suppose that their application will derive some force from such a representation as I feel authorized to make of the great importance to all the people of this shore, of recovering these fugitives. It is for this reason that I take the liberty to address you. This is not the first nor the second instance in which large numbers of our slaves have succeeded in reaching New York in boats stolen by them from citizens resident on the sea-board. Neither is it the *last* attempt which has been made; within four weeks last past about thirty of them, emboldened by the success of previous attempts, united in a similar enterprise, and a part of them were actually on the route when they were stopped by a sudden change of wind, which made it dangerous for them to proceed. You will readily suppose that these

circumstances, proving the utter insecurity of this property among us, have rendered it of very little value. It is, therefore, of the utmost importance to all slave-owners here, that the slaves should know that there is a power in the laws to render abortive all future attempts of that kind.

1832.
October 4,
Northampton

Indeed, the protection uniformly afforded by individuals and private societies in the North to fugitive slaves from the South, is too notorious to be denied, and presents, as it seems to me, a fit occasion for the interference of the public authorities of the aggrieved States.

It is perfectly certain that unless this abuse can, in some mode or other, be speedily corrected, the Eastern Shore of Virginia, affording as it does, and must continue to do by its every position, every facility for the escape of slaves, will soon be wholly without that species of property. The impoverishment and ruin of the people will be the necessary consequence. It is obvious that the exertions of the individual owners can effect very little in reclaiming their slaves from communities organized against their rights. Hence, almost every attempt of that kind has not only failed of success, but has subjected the party to public insult and personal danger. Their best hope, therefore, and, indeed their only hope, must be found in the interposition of the public authorities of our State. It is impossible to doubt your readiness, Sir, to interpose your power for the protection of all the rights and interests of the Commonwealth on all proper occasions, and I have only to add an expression of the hope entertained by all the people here that you may find this "a proper occasion" for such an interposition.

I am, &c.

We fully concur with Judge Upshur in the importance of a compliance, on the part of the Executive, with the requests contained in the above letter.

JOHN EYER,
SEVERA E. PARKER.

LITT'N W. TAZEWELL TO THE GOVERNOR.

Considerations which regard to my private affairs will impose it as a duty upon me to give to them my individual attention during the whole of the approaching winter, and will so prevent me from fulfilling my public engagements during that period.

October 22,
Norfolk

Foresceing this, and being of opinion that none should continue to hold any important public trust who is aware that he can not satisfy all its obligations, I do but perform what I consider as an act of public duty

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in resigning the appointment I now hold of a Senator of the State of Virginia in the Congress of the United States; and I pray you, Sir, to regard this letter as my resignation of that appointment.

I would have postponed this communication until a later day if I had believed that any contingency would occur in the interim to change the reasons of my present determination. But not being able to look forward to any such event as of probable occurrence, and being well aware of the possible inconvenience that may result to the public from the sudden annunciation of my resignation at a future time, I thought it due not less to myself than to the State, to make known my situation to you so soon as it was certainly known to myself, to the end that ample opportunity may be allowed to those charged with the power of supplying the vacancy, to take any steps in regard to the exercise of this power which to their discretion may seem best.

I pray you, Sir, that in communicating the fact of my resignation to the General Assembly, you will do me the favour to signify to them the causes which have occasioned it, and will present to that body my very grateful acknowledgements for the more than kind consideration which they have so repeatedly manifested towards me.

I am, &c.

GEORGE TUCKER (PROF.) TO THE GOVERNOR.

Nov. 19,
University
of Virginia

In compliance with certain resolutions unanimously adopted by the Faculty of this Institution, at a late meeting, I beg leave to call your attention to the present state of the University, and to solicit your friendly interposition with the legislature in its behalf.

When the University was about to go into operation, the office of selecting its library was confided to its late illustrious Rector, Mr. Jefferson, who, knowing the importance of a good library to such an institution, especially in a place where it could derive no aid from other public collections, made out a catalogue of 10,000 volumes to be purchased. But a part of the funds intended for this purpose, having been diverted to the completion of the buildings and other indispensable objects, not more than two-thirds of the allotted number were actually procured. It so happened, moreover, that many of the most valuable and desirable works in the catalogue, were in the number of those omitted to be purchased. You will perceive, Sir, by the Faculty's resolutions (a copy of which I take the liberty to enclose), that the visitors have not been able to supply the deficiency; that no important additions have been made to the library since the year 1825, and none even to its periodical literature since 1827, notwithstanding the repeated

and most urgent applications to the Visitors from the Faculty, and I may add, notwithstanding every disposition on the part of the visitors to remedy the evil if the state of the University funds had permitted them. It is proper here to add that Mr. Jefferson bequeathed his own library, consisting of about one thousand volumes, to the University after the payment of his debts, but that his executor not being able, consistently with the permanent rights of creditors, to assent to the legacy, has sold those books, and in this way the library has been deprived of some rare and valuable works, that by reason of the bequest were purposely omitted from the catalogue.

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After such a statement of facts, it is surely unnecessary, Sir, for me to remind you that all human science is progressive, or how essential it is that those who are employed in teaching its higher branches should be early apprised what new facts have been discovered; what new theories have been promulgated; what former errors corrected; what have been the improvements in methodical arrangement, and what in the plans of instruction. You must be sensible that if we are shut out from the light that science is ever diffusing in its unceasing onward march, we cannot continue to hold our present rank among places of public instruction, and that such light can be obtained only by a continual supply of new and original works. It must also be remembered, that this supply is the more important to our Institution, not only because its first stock was confessedly inadequate, but because its Professors cannot, like those of most similar establishments, have recourse to the Atheneums, reading rooms, and collections of books—public and private—which are to be found in all our large towns.

I believe, Sir, I may venture to say, that with the exception of natural History, every branch of science is taught here as carefully and thoroughly as in every other Institution in the United States, and that its Professors, generally, not content with understanding and imparting the present state of science, have both the ambition and the ability to contribute towards its advancement, but it is impossible that they can long continue to indulge this honest pride, if they cannot profit by the works of their fellow-labourers, or if they receive them partially, tardily, or at second hands.

I am aware that some prejudice has existed, and probably still exists, against this Institution on the ground that its benefits are confined to the wealthy, and it has been denounced as an aristocratical establishment. It is true that none can fully avail themselves of its instruction unless they can afford to spend some three or four hundred dollars a year for two or three years. For this there is perhaps no remedy—certainly none but what is possessed by the taxing powers of the community. But it does not thence follow that the other citizens who are not rich enough to incur this expense are not interested in the success of

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of Virginia

such an Institution; for in the first place, if it be true that where property is left to take an uncontrouled course, wealth naturally begets luxury and luxury indulgence, while poverty begets industry and industry wealth; then the descendants of the rich and the poor, after three or four generations, are sure to have changed places, and thus they equally share the benefit of a liberal education.

But now as to the present question, all classes have a direct interest if it be advantageous to a community, to have profound statesmen and legislators, able Judges and lawyers, skilful physicians, sound and eloquent preachers, scientific chemists, mineralogists, and engineers. And I indulge the hope that Virginia will soon see in the character of those who have been educated at this University, that her policy in establishing it was as wise as it was liberal, and that she has promoted her most substantial interests by the very act of multiplying her proudest ornaments.

May I then not hope, Sir, that you will lend your kind offices to induce the Legislature to make an annual appropriation of such sum as they in their wisdom may deem fit for the further purchase of books for the University. I would also suggest that, although there always should be an annual addition to the library, it is not necessary that the appropriation now asked for should be permanent, as when the present debt of the University shall be discharged, as it will be in time, with their present revenue and expenditure, the money then disengaged from the payment of the interest, will be more than sufficient for the yearly purchase of books.

With a grateful sense of your favorable notice of this University, and which has encouraged this application,

I am, &c.

UNIVERSITY OF VIRGINIA, *Nov. 19th, 1832.*

The following preamble and resolutions were unanimously adopted by the Faculty of the University of Virginia, on the 2nd of November:

"Whereas the Faculty feel deeply impressed that a well endowed Library is one of the most important elements in the prosperity of every University, without which indeed its professors must necessarily follow in the wake of those of other Institutions more favored in this respect, and be doomed to the humiliating reflection that they are incapable of affording to the youth sent to their Institution that instruction which they may attain at many other literary establishments; and whereas the library of this University has received no important additions since the year 1825, and no periodical literature since the year 1827, notwithstanding the repeated and urgent representations of the Faculty to the Board of Visitors;

Resolved, therefore, that the Chairman of the Faculty be desired to state, in the name of the Faculty, to Governor Floyd, whose anxiety for the prosperity of the University has been exhibited on various occasions, respecting his interest and endeavours to procure an annual grant for alleviating the detriment daily occurring to the University from the defective state of its library, for its special use; and further, that Messrs. Mer and Randolph, the delegates from the County of Albemarle to the Legislature, be requested by the Chairman to exert their active co-operation for the effecting of this object.

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Resolved, that the preceding resolution be submitted to the Board of Directors at their approaching meeting, and if not objected to by them be ordered as adopted.

THOMAS JOHNSON,
Secretary to the Faculty.

WILLIAMSBURG, *26th November, 1832.*

We the subscribers being called on by James Cabaniss to state in our opinion, the value of the remains of the Old Capitol as it now stands, as we differ so materially in our estimates, we here report our separate opinions, to-wit: one at fifty dollars, one at one hundred dollars, and third at Two hundred Dollars.

We respectfully suggest that if the land attached to it, or a part of it, should be sold so as not to compel the purchaser to pull down the walls, the value would be greatly enhanced.

Given under our hands this 26th Nov., 1832.

GEO. P. MORRISON,
JAMES GUTHRIE,
JOHNSON SANDS.

JAMES CABANISS TO THE GOVERNOR.

In obedience to an order from the Executive Department, under date of September last, I have caused the annexed valuation of the remains of the former Capitol in this place to be made.

Nov. 26,
Williamsburg

I am advised, and it is my own opinion, that a sale made privately, would be most productive, and, as is suggested in the Report, I feel not the least hesitation in saying that it would sell for a much larger sum if a small lot of Land can be attached to the building.

I am, &c.

* ——— TO THE GOVERNOR.

1833.
Feb. 22,
Charleston

I have to acknowledge your letter of the 15th inst., enclosing me the resolution of the General Assembly of the 14th, for the government of my conduct.

I flatter myself I am doing some good here, but not a great deal. The fate of my mission will depend on the event of the pending measures in Congress. If Mr. Wilkins' bill shall pass with the features of coercion in it, and if no bill relaxing the protective system be enacted, I apprehend that this State will not recede an inch, or even pause. The bill introduced by Henry Clay—the mere proposition coming from him—has visibly a healing effect here. The State rights party are, in my opinion, sincerely desirous to see harmony restored, and the Union preserved; but they are not afraid to fight, and fight they will to the bitter end, if the president shall make war, or threaten war upon them, especially if he can have the sanction of Congress for doing so.

I remain most respectfully, Y'r ob't hum. serv't,

* This letter, though without signature, is evidently in the handwriting of Benj'n Watkins Leigh, at that date the Commissioner of Virginia to South Carolina.—Ed.

JOHN TYLER TO THE GOVERNOR.

Feb. 28,
Washington

Your letter of the 26th Inst., communicating my election to the Senate of the United States for the term of six years from the 4th of March next, and covering my official credentials, reached me this morning. For this high and renewed mark of confidence on the part of the two houses of assembly, I pray you to tender them my most sincere and profound acknowledgements. Convey to them also the assurance that as it has heretofore been, so shall it continue to be the business of my life to maintain, feebly it may be, but firmly and honestly, those great principles, which in my deliberate conviction, are identified with the preservation of freedom itself.

I am, &c.

B. W. LEIGH TO THE GOVERNOR.

March 12,
Columbia,
S. C.

The convention of the people of South Carolina met yesterday in pursuance of the proclamation of the president of that body. As it had been reassembled at my instance for the purpose of considering the resolutions of the General Assembly of Virginia on the subject of the

1833.
March 12,
Columbia,
S. C.

controversy between this state and the general government, I addressed a letter to Governor Hayne, requesting him to communicate those resolutions to the convention, and indicating, in general terms, the reasons that induced this intercession on the part of Virginia, the light in which that interposition was to be regarded, and the grounds on which a compliance with her request, that the ordinance of the convention, passed at its former session, should be rescinded or suspended, was wished and expected. The actual state of things produced by the recent measures of Congress, rendered it unnecessary, in my judgment, to exhibit at large the various considerations of Justice and policy, which without regard to those measures, might have sufficed to recommend the course proposed by Virginia to the good sense and patriotism of the convention, and enabled me to avoid many topics of peculiar delicacy, which a regular discussion of the subject would have involved. The Governor transmitted my letter to the Convention, together with the former correspondence between us (which has been already communicated to you), and the resolutions of the General Assembly of Virginia.

I herewith enclose you a copy of my letter to him and of his letter to the president of the convention [Nos. 1 and 2].

The whole subject was forthwith referred to a committee of twenty-one members. It was expected that the committee would make a report, in part at least, this morning, and I delayed this letter in the hope of being able to give you the substance of the report, but on the meeting of the convention, the chairman informed the house that the committee proposed to present three views on the subject—1, in reference to the recent act of Congress modifying the tariff; 2, to the mediation of Virginia; and 3, to the other act of Congress called the coercion law—and that a report upon one of these topics might be expected to-morrow. I do not doubt that the convention will rescind its ordinance. But I think it exceedingly probable that it will nullify the coercion law in nearly the same form in which its former ordinance nullified the tariff laws, and that it will take some measure for the formal assertion of the sovereignty of the State and of its paramount claim to the allegiance of its citizens. Whether its action on the subject of the coercion law will be (what the coercion law seems to me to be, considering that it was accompanied by the modification of the tariff) a mere *brutum fulmen*, I cannot yet inform you, for there are many and various projects in regard to it. My impression is that if this act for the coercion of South Carolina had been passed alone without the other act modifying the tariff, the convention would not have paused in its course a moment, tho' it would have been very reluctant to disappoint the intercession of Virginia.

I am, &c.

P. S.—Taking it for granted that the Legislature has adjourned ere

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Columbia,
S. C.

now, I beg leave to suggest that it may be well to publish the two first paragraphs of this letter and the correspondence accompanying it.

Mar. 14th.

The Committee made a report upon the modifying act (Mr. Clay's bill) yesterday morning. I hope to send you a copy of it by the same mail that carried this duplicate. It recommends the rescinding of the ordinance, and is accompanied by an ordinance rescinding the former one accordingly, and all acts of the Legislature made in pursuance thereof, except an act for the organization of the militia.

JOHN S. GALLAHER TO WM. H. RICHARDSON, Esq.

April 25,
Charlestown

Your letter of the 20th inst. was duly received, advising me of my appointment by the Governor as one of the "Commissioners to settle the western limits of this State, and the dividing and boundary line between it and State of Maryland."

You will please tender to His Excellency my thanks for the honor conferred upon me, and assure him I shall discharge the duty to the best of my ability. I await his further orders.

I am, &c.

JAMES M. MASON TO THE LIEUTENANT-GOVERNOR.

July 1,
Winchester

I have received your letter of the 27th of June, covering a commission to me as one of the Visitors of the University of Virginia.

It is an honor which I may not decline, nor should I be at all prompted to do so by any feeling save a distrust of my competency to the duties it imports. As you have been pleased however to consider this otherwise, I accept the appointment, and with peculiar gratification I beg to say, from the kind manner with which it has been conferred.

None can appreciate more highly than I do the value of this Institution to our State, evinced uniformly heretofore when it was in my power to advance it in another station, nor shall I serve it with less zeal in the post to which you have called me.

The Commission you will find has through inadvertance been issued in blank. I return it herewith that the omission may be supplied.

I am, &c.

G. MILLAN TO THE GOVERNOR.

Sir, this is to inform you of a suspicious character who is endeavouring to cause the slaves to rebel and make insurrection. He arrived at Fairfax Court House on Thursday night last with two other men in company; had a large box, supposed, from the best evidence I can get, to weigh from 4 to 500 w't, and thought by the citizens at Fairfax Ct. House to contain arms. He was seen in Company with 9 or 10 slaves, and heard by white persons to say, If you will only be true, you can get free. The slaves have been apprehended and brought before me; they state that he gave them money, treated them, and told them he had a plenty of arms, and fixed on a place about 2 miles from Fairfax Ct. House to meet. He put up at Mr. Allison's Tavern on his arrival, but soon left the tavern and was out all night. Mr. Allison heard him say to a slave, If you will only be true you can all get free. Said he had got the negroes from Prince William County to join him, and many others. He, by some means, got alarmed and immediately fled to Alexandria or the City, stating to the slaves and to a white female, that she did not know him then, but she would know him in about two weeks, when he should return.

1833.
Sept. 9,
Fairfax
C. H.

I send you his name and description to act on as you may think fit:

John Windover, about 5 feet 10 inches high; stout made; about 30 or 35 years old; light florid complexion; down look; light hair; very coarse features. A carpenter by trade.

I am, &c.

PETER A. BROWNE TO THE GOVERNOR.

Although I have not the honor of a personal acquaintance with you, I have no hesitation in making the present appeal to your patriotism and wisdom, not doubting but that I shall find in the great and growing interest of the subject to the country at large, and particularly to that portion of the Union over which you preside with so much dignity and discretion, a sufficient apology for occupying so much of your valuable time as will enable you to give the present communication an attentive perusal.

Sept. 30,
Phila-
delphia

I have recently returned from a *geological* excursion to Virginia. I entered the State near the head waters of the Potomac, passed thence to Winchester, followed the course of that fine valley to the Natural Bridge; retracing my steps, I turned westwardly at Staunton, crossed the mountain at Jennings' Gap, and visited the justly celebrated medicinal springs in that region; returning, I went from Staunton through Charlottesville

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to Richmond, and down the James River to its mouth. When this tour is taken in connection with a former visit to Wheeling, it will be conceded that I have seen enough of the State to enable me to form a rough estimate of its geological and mineralogical importance, and I do assure you, Sir, that altho' my anticipations were far from being meagre, I was astonished at the vastness and variety of interesting objects in that department of natural history that were constantly developing themselves, inviting the mind of man to reflection and his hands to industry, and displaying at every step the wisdom and beneficence of the great Creator.

I determined upon respectfully suggesting to your Excellency the expediency of a Topographical, Geological, Mineralogical, and Oryctological survey of Virginia. Should the enlightened representatives of the freemen of your State concur in this opinion, it will redound to the honor of all concerned, by the encouragement it will give to the study of the natural sciences, by the enhancement in value of lands in the interior, thereby enriching the State and its citizens, and giving a very proper check to unnatural migrations to the extreme west, by bringing to light and usefulness innumerable valuable crude materials, thereby not only enlarging the field of manufactures and the useful arts, but furnishing carrying for canals and roads already constructed, and assisting in new internal improvements in locations of equal importance.

That I may not appear to be too enthusiastic, pardon me for pointing out some of the most obvious features in the Geology of Virginia. Whether we consider the comfort and convenience of our species, or the industry and prosperity of a State, there is no mineral production that can outvie in importance that of *Coal*. In this country, where we have hitherto always had a superabundance of fuel, owing to the vast extent of our natural forests, the importance of a constant and abundant supply is not felt, and we are too apt to neglect properly to appreciate its value; but it is not so elsewhere, and a moment's reflection will shew that it ought not to be so here. Without fuel, of what use would be to us the metallic ores? For instance, iron, which is now moulded, drawn, and worked into thousands and tens of thousands of useful instruments, from a knife to the complicated machinery of a steam Engine, would have forever remained an indissoluble and useless mass of matter without the aid of fuel. Even the Steam Engine itself, that colossus of modern machinery, without the assistance of fire, would be inactive and impotent.

The Rev. Dr. Conybeare, an eminent English Geologist, speaking of the coal veins (or coal measures, as they are there called) of his country, thus expresses himself:

"The manufacturing industry of this Island, colossal as the fabric it has raised, rests principally on no other base than our fortunate position

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h regard to the rocks of this series. Should our coal mines ever be
hausted, it would melt away at once, and it need not be said that the
et produced on private and domestic comfort would be equally fatal
h the diminution of public wealth. We should lose many of the
antages of our high civilization, and much of our cultivated grounds
t be again shaded with forests, to afford fuel to a remnant of our
ent population.

That there is a progressive tendency to approach this limit, is cer-
; that ages may yet pass before it is felt very sensibly, and where it
approach, the increasing difficulty and expense of working the
es of coal, will operate by successive and gradual checks against its
umption through a long period, so that the transition may not be
violent, our manufactures would first feel the shock; the excess of
ulation supported by them would cease to be called into existence,
re demand for their labour ceased; the cultivation of poor lands
ld become less profitable, and their conversion into forests more so.”
Here is the State in this Union; I might perhaps safely ask where
ie Country in the world that can surpass Virginia in the variety of
tion and abundance of supply of this valuable combustible? She
esses not only in common with her Sister States, a liberal quantity
bituminous coal in her western and carbonaceous regions, where
rding to geological calculations bituminous coal might be reasonably
ected to be found; but in the eastern division of the State, within a
miles of the tide-water of a majestic stream which empties its ample
ers into the Atlantic Ocean—in a geological position where bituminous
never would have been sought after, because bituminous coal could
there have ever been expected to have been found, bituminous coal
good quality and apparently in great abundance has been found;
re seeming as it were in this instance, to enable her to favour an
erwise highly favoured land, to have defied all her own rules and
led the skill of the gravest geologist by depositing bituminous coal
n the naked and barren bosom of the uncarbonaceous granite. I
e often wondered why this anomaly did not strike the capacious and
ly gifted mind of Jefferson, and why he or some other of the many
ecting men of Virginia was not led by it to enquire what else there
ht be in store for the good people of that State. By neglecting to
c for them, we ungratefully reject the profered kindness of our Creator:
laws of inanimate matter are in this respect in unison with those that
ern animated nature; we are furnished with the material and means,
in order to stimulate to useful and healthful industry, we must labor
their appropriation. God gives us the earth and the seed, but we
st plough and sow or we can never reap; so he has bountifully
ced within our reach innumerable valuable rocks, minerals and com-
tibles, but to enjoy them we must delve into the bowels of the

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earth, and having found them, we must, by various laborious processes, render them fit for our use. To those who are accustomed to regard these things, it is difficult to determine which causes the most painful sensations to observe how few coal mines in comparison to what might be, are opened in the neighborhood of Richmond, or the want or skill exhibited in the selection and the working of those recently opened.

Nor is the deposit of the bituminous coal upon the granite, the only geological anomaly of this quarter. Proceeding from Charlottesville towards Richmond, almost immediately after you leave the Talcose formation of the Blue Ridge, you are astonished at the fertility of the soil; you can scarcely persuade yourself that you are travelling over a country of primitive rocks. Soon, however, you discover that the fertility is not universal, but confined to patches of a brick-red covering that overlay the disintegrated materials of the primordial formation, and upon seeking further into this curious matter, your surprise is not a little increased upon discovering that this brick-red covering owes its existence to the disintegration of a rock, which, in most other places, is exceedingly slow to decompose, and which, when decomposed, forms a cold and inhospitable soil. It is the *horn blende sienite*. Here it is surcharged with iron, which, oxidating by exposure to the atmosphere and moisture, the rock freely disintegrates, and the oxide of iron, being set at liberty, imparts its colouring to the ground and fertilizes the soil in an extraordinary degree.

Professor Hitchcock in his report of a geological survey of Massachusetts, makes the following remarks in relation to the effect of iron upon a soil: "No ore, except iron, occurs in sufficient quantity in the State to deserve notice in an agricultural point of view. In the west part of Worcester County, the soil, for a width of several miles across the whole State, is so highly impregnated with the *oxide of iron* as to receive from it a very deep tinge of what is called iron rust. This is, particularly, the case in the low grounds, where are frequently found beds of bog ore. I do not know very definitely the effect of this iron upon vegetation, but, judging from the general excellence of the farms in Brookfields, Sturbridges, Hardwicke, New Braintree, Barea, Hubbardston, &c., I should presume it to be good. Certainly it cannot be injurious, for no part of the County exceeds the towns just named in the appearance of its farming interest, and nearly all the County as may be seen by the map, is of one formation. It would be an interesting problem which in that County can be solved to determine the precise influence of a soil highly feruginous upon vegetation."

Next in geological and statistical importance, I would place the Mineral Springs of Virginia, and these would form a legitimate subject of investigation to those who should be appointed to conduct a Geological survey.

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am not aware of any portion of country of the same extent, possessing an equal number and variety of Mineral Springs as the counties of Bath, Greenbrier, and Monroe. This is a subject upon which one might easily compose a book, but I must confine myself to a few lines.

The waters are thermal and cold; the former of various degrees and density. They hold in solution a variety of metals, earths, acids and alkalies, combined in various proportions and suited to relieve the suffering of invalids from a number of diseases. Mineral Springs of as much interest than these have excited the attention of the learned in almost every age and Country, and Virginia owes it to her high mental standing independently of every other consideration, to assist the cause of science by investigating the causes of the high temperature and making accurate analyses of these valuable waters. It is the duty of States, as it is of individuals, to furnish their quota to the general stock of information; and this is peculiarly the duty of a republican State whose happiness, nay whose very political existence, depends upon an improved state of the minds of its citizens. Mr. John Mason Goode in his "Book of Nature," after describing the barren state of society in the middle ages, says: "We have thus rapidly travelled over a wide and dreary desert that, like the sandy wastes of Africa, has seldom been and refreshed by spots of verdure, and what is the moral? That ignorance is ever associated with wretchedness and vice, and knowledge with happiness and virtue. Their connections are indissoluble, they are woven in the very tissue of things and constitute the only substantial difference between man and man," and would add, between State and State.

Had the heat of those waters any connection with volcanic phenomena? Is the temperature entirely *chemical*, originating in the decomposition of sulphuret of iron, as I suggested some years ago in a paper published on the subject? At the Hot Springs the hot sulphur water and the cold pure water issue out of calcarious rock at the base of the Warm Spring Mountains within a few feet of each other. One of these Virginia Springs makes a copious deposit of calcarious tufa, and at another we perceive newly formed crystals of sulphate of iron. The White Sulphur Spring takes its name from a rich white deposit, and the Red Sulphur from one of that color. If this is not an uncommon and highly interesting section of country, calling aloud for investigation and merited legislative interference, then have I taken an entirely erroneous view of the subject.

The Warm Spring Mountain is white sand stone. The rocks of the Valley of the Hot Springs are calcareous, argillaceous, and siliceous. They are all nearly vertical. At first the two former, and afterwards the latter, alternate. They have all been deposited in a horizontal position, and between their narrow strata are thin layers of clay cover-

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delphia

ing organic remains. Those of the lime and slate are principally zoophytes; that of the silicious is the fossil described by Doctor R. Harlan, from a specimen obtained by me in the western part of the State of New York. He supposed it to be a now extinct vegetable fossil of the family Fucoids, and he has called it *Fucoide Bronjuidotic*, in honor of M. Bronjuiard. But I supposed it to be *animal*, and to belong to the family of the encrinites. The mountain ranges of Virginia are more numerous, and the valleys consequently narrower than they are in Pennsylvania, but some of them are very interesting. The great Valley as it is sometimes called, or par excellence *the Valley*, situate between the Blue Ridge and the North and Alleghany mountains, is by far the most extensive. The rocks often obtrude, rendering the soil rather scanty, but nevertheless this is a fine district of country. I could find no fossil in this rock. In regard to the metallic ores, I would observe that I discovered sufficient indications of their existing in Virginia, in quantity sufficient to justify a more accurate examination. Iron abounds in almost every part of the Western section of the State; traces of copper, lead, manganese, and chrome have also been discovered near the Blue Ridge, and the gold of Orange County is equal to any found in Carolina or Georgia. I have never seen anything that exceeds the richness and variety of colouring of the serpentine of the Blue Ridge. This mineral is easily cut, and the fineness and closeness of the grain renders it susceptible of a high polish. At Zobnitz, in Saxony, several hundred persons are employed in its manufacture. Besides the minerals belonging to the Talcose formation, and generally accompany serpentine, are many of them valuable in the arts, for instance steatite (soap-stone), Talc. chromate of iron, chlorite slate, and native magnesia. A geological survey would most probably lead to the discovery of most of these minerals.

I could make large additions to this communication but for the fear of trespassing upon your patience. I will, therefore, close my observations with noting two instances of want of confidence in the mineral productions of your own State, which I am persuaded that a Geological survey would tend to correct. I met many wagons loaded with sulphate of lime (gypsum) from Nova Scotia, being taken to the interior to be used as a manure, but I did not see one wagon employed to bring carbonite of lime (common lime stone), from the inexhaustible quarries of the Great Valley, to any other district, to be used for the same purpose. In the beautiful and flourishing City of Richmond, I observed the fronts of two stores fitting up in the new and fashionable style with granite (so-called sienite), from Massachusetts, while there exists in James River, and on its banks in the immediate vicinity of the town, rocks of superior quality in quantities amply sufficient to build a dozen cities.

I am, &c.

THOS. CULBRETH (CL'K OF COUNCIL) TO THE GOVERNOR.

All hope of obtaining the services of an Engineer from the United States Corps to aid in making a survey of the Coast and Sounds between Cape Charles and Lewis Town being abandoned by the Executive of this State, it is proposed that the Commissioners and Engineers appointed by Virginia, Delaware, and this State be instructed to proceed, without further delay, to make said survey.

1833.
October 30,
Annapolis,
Md.

John H. Alexander, Esq., has recently been appointed Engineer on the part of this State, and with James Derickson, Esq'r, Commissioner previously appointed, will be directed to make an arrangement with the Commissioners and Engineers of the other States for as early a day of commencing operations as may be found mutually convenient.

I am, &c.

JOHN H. SMITH TO THE GOVERNOR.

A Report was made to the Senate of the U. States Jan'y 16th, 1828, respecting Officers and Soldiers of the Revolutionary Army entitled to Bounty land from the United States. (See Senate documents, 1st Sep'r, 20th Congress, vol. 2.) In document No. 42, accompanying that Report, there is a list of officers and soldiers of the Virginia Continental line entitled to land from the United States whose warrants are on file in the *bounty land office, and who have not yet applied therefor.*

Nov. 18,
Richmond

Since this Report was made to the Senate, many of the officers and soldiers who were named therein have received their lands. It is necessary that I should have an authentic list of those who have received their lands.

I therefore respectfully request that you will cause the said list to be procured from the U. States Land bounty office at Washington.

I am, &c.

[The above letter filed in November pkg., 1833. List of men referred to printed in House Journal, 1833-'34, Doc. 34, pp. 7-10.—ED.]

THO'S SWANN TO WM. RICHARDSON.

My son-in-law, John Mercer, is not now in the city, and when he left me he requested me to open any letters that might be sent here in his absence. I accordingly opened your letter to him, enclosing a Certificate of the late Col. Mercer's services in the Revolutionary war.

Dec. 31,
Washington

1833.
Dec. 31,
Washington

Among the papers of Col. Mercer, they found a statement made by himself of his military services in Virginia, during the years 1780, 1781 and 1782. He states that during the latter part of the year 1780 and in the year 1781, he served as Lieutenant Col., under the appointment of General Lawson, who was authorized by the Executive of Virg'a to make the appointment. He served during these years under this appointment, but the Court of Stafford (his native County) thinking that it would be more regular that a commission should be granted to him, recommended him to the Executive as a Lieut.-Col., and a commission was accordingly sent to him in 1782. I have directed that a search be made among Col. Mercer's papers for this commission, and am in hopes it will be found, but if it should not, it would be desirable to get a certificate from the Executive records that such appointment had been made.

I would therefore ask the favor of you to look at these records for the year 1780, 1781 and 1782 and see whether such a commission had not been granted to him. Your records would show who was the Lieut. Col. of Stafford County during these years, and I should like to know who was appointed in Stafford to succeed Col. Mercer, and when such appointment was made.

Col. Mercer served as Lieut. Col. of the Virginia troops until the capture of Lord Cornwallis, and we believe held his commission as such until the end of the war.

I give you trouble in this matter, but Mr. Mercer told me that you would oblige him by giving him such information as might be in your power, and I therefore take the liberty to ask the favor in his behalf.

Have the goodness to direct your answer to me in this place.

I am, &c.

The Petition of the Heirs of Thomas Taylor for land bounty, who claims as a soldier of the Illinois Regiment, has been referred to me by the Executive with a request that I would enquire into "the validity of the Illinois claims generally and report at large thereupon."

My attention has not been particularly asked to the evidence in support of the claim of Taylor's Heirs, but it is my duty to report it as a claim well-sustained by evidence, and which a careful examination of the laws and other legislative proceedings relating to land bounty, and due attention to other matters important to be considered in forming a correct opinion on the subject referred to me, have resulted in the conviction that the surviving officers and soldiers of the Illinois Regiment, and the Heirs of those who are dead, are entitled to the benefit of the general land bounty laws of Virginia, and that the reservation of 150,000

ures of land, made after the Revolutionary war for their benefit, has not deprived them of their rights under the Land bounty laws.

1833.

The Laws and other Legislative proceedings having a bearing on this question will be noticed in chronological order, and are—

“An act concerning officers, soldiers, sailors, and marines,” passed May, 1779, (see Hen’gs Stat. 10–23, &c.,) which provides that every able-bodied freeman who shall enlist, or who, having enlisted to serve a particular period of time unexpired, shall re-enlist to serve during the continuance of the present war *among the troops of this Commonwealth*, either *at home or in the continental army*, as he shall be directed, or as a sailor or marine on board the armed vessels of this Commonwealth, shall at the end of the war, be entitled to a grant of 100 acres of any unappropriated land within this Commonwealth, and every one of the officers commanding the said soldiers, sailors, or marines shall be entitled to a grant of the like quantity of Lands as is allowed to officers of the same rank in the Virginia Regiments on continental establishment.”

The same act further provides “that every soldier who enlisted in the *corps of volunteers* commanded by Colonel Geo. Rogers Clarke, and continued therein until the taking of the several British posts in the Illinois Country, shall at the end of the war be entitled to a grant of 200 acres of any unappropriated land within this Commonwealth,” &c.

And every able bodied free man who shall enlist, or who having enlisted for a period of time unexpired, shall re-enlist to serve during the war among the troops ordered for the protection and defence of the County of Illinois, shall be entitled to a grant of 100 acres of land on the terms herein before declared.”

An act for raising a body of Troops for the defence of the Commonwealth, passed May, 1779 (see Hening’s Statutes, Vol. 10, 32, &c.,) after he providing for the raising of four Regiments—two for the Western and two for the Eastern Frontiers, enacted, “that all officers and soldiers serving in any of the Regiments to be raised by virtue of this act shall be entitled to the same pay, benefits, privileges and emoluments provided for the Officers and soldiers of this State by the act of this present session of Assembly, entitled “an act concerning officers, soldiers, sailors and marines.”

“An act for more effectually securing to the officers and soldiers of the Virginia line the lands reserved to them,” and for other purposes, passed October, 1779 (see Hen. Stat., Vol. 10, 159, &c.,) fixed the proportions of land to be allowed to officers of the State line and of the State line on Continental establishment, and to non-commissioned officers, soldiers and sailors upon each of the said establishments for three years service, and for service during the war, and increased the bounty to soldiers for the war to 200 acres of land.

1833. The act of Oct., 1780, entitled, "An act for making good the future pay of the army and for other purposes" (See Heng's Stat., Vol. 10, 373, &c.) allowed bounty in lands to the general officers, and to all other officers of this State on Continental or State establishment "an additional bounty in lands in the proportion of one-third of any former bounty heretofore granted them."

In Oct., 1780, a Law passed entitled, "An Act recruiting this State's quota of Troops to serve in the Continental army" (see Hen'gs Stats., vol. 10, 326, &c.), which increased the bounty to soldiers for the war, who had enlisted, or should enlist before the 1st of April, 1781, to 300 acres of land and a healthy, sound negro between the ages of 10 and 30 years, or £60 in gold or silver *in lieu of all such bounties given by any former laws.*

In November, 1871, an act passed entitled, "An act to adjust and regulate the pay and accounts of the officers and soldiers of the Virginia line on Continental establishment, and also of the officers, soldiers, sailors, and marines in the service of this State," &c. (see Hen'gs Stats., vol. 10, 462, &c.) This act made the pay subsistence and bounty in land of the State officers equal to those of the officers of the Virginia line on Continental establishment; and also provided that the same indulgencies and advantages given thereby to the State Infantry should be extended to the officers and soldiers of the State Cavalry, and "the officers and seamen of the State Navy, as they stand arranged by a late regulation."

Under the 10th section of this act, Boards of Field officers were convened, who made returns to the Executive of the officers of the different State Corps, including among them those of the *Illinois Regiment* and *Crockett's Regiment*, in order that they might be laid before the succeeding Legislature.

In 1782 Officers and Soldiers were allowed one-sixth in addition to all former bounties for every year's former service over six. (See Heng's Stat's, Vol II—84.) In this law there is the following provision: "That any officer or soldier who has not been cashiered or suspended, and who has served the term of three years successfully, shall have an absolute and unconditional title to his respective apportionment of the land appropriated as aforesaid."

A Resolution was adopted by the Assembly in the year 1781, (see Heng's Stat's, Vol. 10—564—5—6) for a cession of the lands on the north-west side of the River Ohio to the United States, in which is the following reservation or provision, viz.:

"As Col. Geo. Rogers Clarke planned and executed the secret expedition by which the British posts were reduced, and was promised if the enterprise succeeded, *a liberal gratuity* in that Country for the Officers and soldiers who first marched thither with him, that a quantity of

1833.

and not exceeding 150,000 acres be allowed and granted to the said Officers and Soldiers, and to the other Officers and Soldiers that have been since incorporated into the said Regiment, to be laid off in one act, the length of which, not to exceed double the width in such place on the North West side of the Ohio, as the majority of the Officers shall choose; and to be afterwards divided among the Officers and Soldiers in due proportion according to the Laws of Virginia." This Resolution contained also a reservation (or a provision for a reservation)

of Lands between the Rivers Scioto and Little Miami, on the North-West side of the Ohio for the Virginia Troops on Continental establishment, and upon their own State establishment, in case the previously reserved lands on the waters of the Cumberland River, and between the Green River and the Tennessee River, should turn out to be insufficient in quantity.

The offer of Virginia to cede the North-Western Territory to the United States on these terms, was accepted by Congress on the 13th of Sept., 1783 (see Heng's Stat's, vol. 11, 67-68).

The Deed of Cession was accordingly executed March 1st, 1784 (see Heng's Stat's, vol. 11, 571-2-3-4).

These are the Laws and Legislative proceedings, and they are believed to be all materially affecting the question submitted to me.

After having duly examined them, and taken into consideration the Reports of the Executive, and the proceedings and Reports of Boards of Land Officers under them, I have arrived at the following conclusions, which together with a short statement of the reasoning on which they are founded, are respectfully submitted:

I.

The officers and soldiers of the Illinois Regiment had a just claim to land bounty under the general land bounty Laws of the State, prior to the Deed of Cession of the Northwestern Territory to the United States, which contained the aforesaid reservation in their favour.

II.

The reservation in the Resolution and Deed of Cession, did not and could not deprive the officers and soldiers of the Illinois Regiment of the benefits of the general land Laws of the State.

III.

The volunteers who first marched out under Col. G. R. Clarke, and continued in service with him until the several British posts in the Illinois country were reduced, became thereby entitled to the 200 acres of land offered to each of them by the act of 1779.

I.

The officers and soldiers of the Illinois Regiment had a just claim to land bounty under the general land bounty Laws of the State prior to

1833. the Deed of cession of the N. Western Territory to the U. States, which contained the reservation of 150,000 acres of land for their benefit.

The Illinois Regiment seems to have been always regarded by the Legislature, by *the Commissioner of the war office* whilst such an officer was in existence, and by *the Executive*, and by *distinguished military men*, as belonging to the State line, and entitled to all benefits and emoluments as such.

First. They have been so regarded by the *Legislature*. The act of May, 1779, "concerning officers, soldiers, sailors, and marines," used very broad and comprehensive words: "Every able-bodied freeman who shall enlist, or who, having enlisted to serve a particular period of time, shall re-enlist to serve during the war *among the troops of this Commonwealth*, either at home or in the continental army," &c., shall at the end of the war be entitled to a grant of 100 acres of any unappropriated land, &c., and "every of the officers commanding the said soldiers, sailors, or marines shall be entitled to a grant of a like quantity of lands as is allowed to officers of the same rank in the Virginia Regiments on continental establishment." This act (which concerned the State line) undoubtedly embraced in its provisions the Illinois Regiment, who were "among the Troops of this Commonwealth," and engaged "at home" in a perilous and important service. The words just quoted, embraced the Illinois Regiment without naming it, and probably the act would have made no other or special provision for that Regiment (as it did in an after part of it) had it not been thought necessary to do so in consequence of a provision which was made for the *volunteers* under Col. G. R. Clarke. The volunteers under Col. G. R. Clarke and the Illinois Regiment were distinct in the view of the Legislature.

This Law was so worded as to draw the line of distinction between them. The first consisted of the brave men who volunteered to make a first impression on the Northwestern Territory; to encounter all the horrors of combined British and Indian warfare, and to carry into execution Col'o Clarke's plan of taking the British Posts.

The last consisted of the *regular troops*, who enlisted for the protection and defence of the Western Frontiers. The first were bound to continue in service no certain time, but were to serve until the British Posts were reduced. The *last* enlisted for three years, or the war. The first were troops raised for a special purpose, who were to continue in service probably only a short time, and were *not of the State line*. The last were troops raised for the general purpose of the Western defence; were bound for three years, or for the war, and were *of the State line*. Many of the Volunteers who first went out with Col'o Clarke, afterwards enlisted in the Illinois Regiment, but the two corps were still in Law and in fact distinct.

The provisions of the Act respecting them are as follows;

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“Every soldier who enlisted in the *Corps of Volunteers* commanded by Col. Geo. Rogers Clarke, and continued therein until the taking of the several Posts in the Illinois Country, shall be entitled to a grant of 200 acres of land,” &c. This clause of the act relates exclusively to those who *first marched out with Col. Clarke, &c.* The provision immediately following this in the Act relates to the Illinois Regiment:

“Every able-bodied freeman who shall enlist, or who having enlisted for a period of time unexpired, shall re-enlist to serve during the war among the troops ordered for the protection and defence of the County of Illinois, shall at the end of the war be entitled to a grant of 100 acres of land on the terms hereinbefore declared.”

The distinction between the Volunteers under Col. Clarke and the Illinois Regiment has been thus plainly drawn by the Legislature. This distinction, and the special provision which was made for the Illinois *Volunteers*, and the probability or possibilities that that provision might be interpreted and misunderstood as embracing the *Illinois Regiment* (hereby giving them an advantage over the State line), made it necessary, if not necessary, very proper through abundant caution that the act should name specially the Illinois Regiment, and by special provision place them on the footing of the State line. This was done. It was not at that time the intention of the Legislature to give them a higher bounty in Lands than that allowed the State line, nor was it intended to exclude them from the benefits extended to the officers and soldiers of the State line; but the object seems to have been to secure to them these benefits, and no more or greater. The quantity of land then given to soldiers of the State line was 100 acres. The same quantity was given to soldiers of the Illinois Reg't.

Again. It is a striking fact that no other *special* provision was ever afterwards made by law for securing or increasing the bounty in lands to officers and soldiers of the Illinois Regiment (whilst such laws were enacted from time to time for the benefit of the State line generally), until the north western Territory was ceded to the United States. The Assembly always regarded them as belonging to the State line, and considered them as provided for by the general land bounty Laws, otherwise they would have been most unjustly treated.

They would not have received the ordinary land bounty allowed the Virginia State Troops, whilst they were engaged in a much more important and arduous service than any of these Troops. It is almost inconceivable that such injustice to the Illinois Regiment should have been intended. The Assembly was liberal in allowing land bounty. The resolution of the 26th Nov'r, 1779, (see Heng's Stat's, Vol. 10—539) for extending bounties and clothing given by Law to certain Officers and Soldiers—and, indeed, the whole course of the Legislation on the subject proved this. The inference then is irresistible—that the Illinois

1833. Regiment was regarded by the Legislature as belonging to the State line, and provided for by the general land Bounty Laws.

2nd. They were so regarded by the Commissioner of the War Office whilst he acted, and by the Executive afterwards.

Many of the Officers, and probably more of the Soldiers, of the Illinois Regiment, received certificates for land Bounty from the Commissioner of the War Office, and from the Executive since, and had warrants thereon. Those allowances have been made through a long course of time, extending from Dec'r, 1782, to August, 1832—as may be seen by referring to a memorandum filed in the Executive Department with the Petition of the Heirs of Ravenscroft, asking land bounty for his services as an Officer in the Illinois Regiment. These allowances were made to the Illinois Officers *as of the State line*; all of them were made after the Revolution for the cession of the North Western Territory and many of them after the *Deed of Cession*.

Besides this Executive recognition of the rights of the Illinois Officers and Soldiers, there has been another which is worthy of notice. The Executive has, in carrying into effect the provisions of the Laws relating to Officers of the State line entitled to half pay, considered them as embracing the Officers of the Illinois Regiment, and has, at different times, ordered Boards of Officers to convene, who were directed to make returns of the Officers of that Regiment—reporting such as were entitled to half pay, and discriminating such as from an officer like conduct, &c., were not entitled. The Executive, through the Commissioner of the War Office, ordered a Board of Officers to meet in Richmond in Febr'y, 1782, for these purposes. The Commissioner of the War Office, pursuant to advice of Council, ordered a Board of Western Officers for these purposes, some time in 1782.

3rd. Distinguished Military men composing Boards of Officers regularly constituted, have recognized the rights of the Illinois Officers in sundry instances. The Board which sat in Richmond in Febr'y, 1782, recognized the Illinois Regiment as of the State line in the following words: "No officer from the Navy and no officer from the Regiments raised for the western defence attending, and the Board having no returns nor information on which they can proceed, from the Navy or from these Regiments, they therefore, cannot, with any propriety, proceed to consider them at all." (See Report and proceedings of this Board in 1st Auditor's Office.) The Regiments here spoken of as raised for the Western defence, were *Crockett's* and *Clarke's*. The *first* is now and has always been considered as belonging to the State line. The last is, as I understand, not now regarded as of the State line, although it *then* was. Its claims are precisely the same with those of Crockett's Regiment, and this Board of Officers thought that both of them belonged to the State line.

A Board of Officers belonging to the Western Department, convened by the request of Col. Davies, agreeably to an act of Assembly of November, 1781, met at Richmond in April, 1782. This Board reported to the Executive a list of the officers of the Illinois Regiment, and expressed the following opinion, to-wit:

"It is the opinion of this Board that the officers on the enclosed list of the Illinois Regiment — entitled to the emoluments allowed the officers of this State by act of Assembly, as it appears they have been in service since the raising of the Illinois Regiment, and continued in service until deranged by act of Assembly, and that they have behaved whilst in service as good officers and gentlemen." (See original Doc't in 1st Audit's office.)

In a list of the officers of the State line entitled to half pay taken from the lists that were returned to the Executive by the Field officers that sat at the different Boards in Richmond in Feb'y and April, 1782 (filed in the 1st Auditor's office), the officers of the 1st and 2nd State Regiments, State Artillery, State Garrison Regiment, *Illinois Troop*, State Cavalry, and *Illinois Regiment* are mentioned as belonging to the State line. In this document there is a memorandum in the following words: "The Illinois Regiment had a double portion of land." Many of those Officers have received their half pay.

Thus it appears that the Illinois Regiment has been considered by the Legislature, by the late commissioner of the war office, and by the Executive, and also by legally constituted Boards of Field Officers, as entitled to all the privileges, benefit, and emoluments secured by Law to the State line, one of which was the bounty in land.

II.

The reservation in the Resolution and Deed of Cession aforesaid, did not and could not deprive the officers and soldiers of the Illinois Regiment of the benefits of the general land bounty Laws of the State for the following reasons:

1st. This reservation of 150,000 acres of land for General Clarke and his officers and soldiers is *nowhere said to be, and therefore it may be presumed was not intended to be* in lieu of all former provisions made by law in their favor.

2nd. It is expressly declared in the Resolution for the cession of the N. W. Territory to have been made in consideration that General (then Col.) Clarke "*had planned and executed the secret expedition by which the British Posts were reduced*, and was promised, if the enterprise succeeded, *a liberal gratuity in land* in that Country for the officers and soldiers who first marched thither with him" (in the Resolutions for the cession, &c, Heng's Stat., vol. 10, 565). It was provided in the *Deed of Cession* that a quantity not exceeding 150,000 acres of land, promised by this State, shall be allowed and granted to the then Col'o (now General) Geo.

1823. Rogers Clarke and to the officers and soldiers of his Regiment who *marched with him* when the Posts of *Kaskaskia and Vincents* were reduced, and to the officers and soldiers that have been since incorporated into the said Regiment. (See Heng's Stat's, Vol. 11, 573.) It appears to have been intended as an extra compensation—a "liberal gratuity" which had been *promised* for special service.

3rd. It was made with the perfect knowledge that the Service in the Illinois country was one of privation, hardship, toil, and danger, and therefore deserved extraordinary compensation.

4th. If the Legislature did not intend the grant of 150,000 acres of land *as an extra compensation for extraordinary services*, no good reason can be assigned for making it.

Upon this supposition the Commonwealth could derive no benefit from the reservation, and from the grant made in pursuance thereof. This grant would not have operated as a convenience to the Commonwealth in any way, nor would it have effected her obligations to the Illinois officers and soldiers. On the supposition that they were not entitled to, and that the Legislature did not intend to give them more land than the officers and soldiers of the State line were entitled to, they could have had no claim upon the Commonwealth if the Reservation of 150,000 acres had not been made for them. They would have had their land under the general land bounty laws. If the fund had failed—that is to say, if the good lands on the waters of the Cumberland River and between the Green River and the Tennessee River had turned out to be deficient in quantity, their claims (they being considered as belonging to the State line, and entitled to land bounty as such) would have been satisfied out of the lands reserved by the said Deed of cession to the United States, "between the Rivers Scioto and Little Miami on the North west side of the Ohio River, for the Virginia Troops upon Continental establishment, and upon their own State establishment." They would have had no claim upon Virginia. Therefore, she acquitted herself of no duty, and freed herself of no obligation to the Illinois officers and soldiers, by making the reservation; and, if she had not made it, could not have suffered in any manner in consequence thereof.

On the same supposition, the officers and soldiers of the Illinois Regiment would neither have derived profit nor incurred loss from the Reservation. If they had no claim whatever to more land, and the Legislature intended to give them no more than was given to officers and soldiers of the State line, they could not have been *injured* if there had been no reservation made of the 150,000 acres. They were already provided for by the general land bounty laws, and at the date of the Deed of Cession many of them had obtained warrants for their portions of land, on the other hand the making of the Reservation (if it was intended that thereby they should be deprived of all claim to land

ounty under the general bounty laws), could not benefit them, for it was provided specially—that the reserved lands “should be afterwards divided among the said officers and soldiers in due proportion according to the laws of Virginia,” and an Act of Assembly passed in October, 1783, for the purpose of “surveying and apportioning the lands granted to the Illinois Regiment.” The officers and soldiers then were to receive of the lands granted in pursuance of the Reservation, exactly such quantities as they were entitled to under the general land bounty Laws, no more and no less. That was taken from them which they had, to-wit: their land Bounty—that was given to them which was exactly equal to the land Bounty, to-wit: their respective proportions of the 150,000 acres. They neither gained nor lost by the exchange.

If the Commonwealth neither gained nor lost, and the officers and men neither gained nor lost by the Reservation, why was it made? Human ingenuity can not devise a reason.

The supposition on which the foregoing reasoning is based, *is false*. The Commonwealth did intend to make the Illinois officers and soldiers extra compensation for extraordinary services. The intention to do this is the key to the legislation on the subject, and lets us into a knowledge of the best reasons for the reservation and grant, to-wit: the extraordinary services rendered by the Illinois Regiment and the promise of the State to bestow on them a liberal gratuity in lands in that Country.

5th. Before the adoption of the Resolution for the cession of the North Western Territory, and the execution of the Deed of cession, the Illinois officers and soldiers had acquired rights under the general bounty laws which could not be disturbed without their consent. They were vested rights, sacred and inviolable.

The Legislature of 1782 seems to have thought so (see Heng's Stat., vol. 11—84). It was then provided by law “that any Officer or Soldier who hath not been Cashiered or superceded, and who hath served the term of 3 years, shall have an *absolute and unconditional title* to his respective apportionment of the land appropriated as aforesaid.”

Could the Legislature take away from the Illinois Officers and Soldiers these rights? If they could under any circumstances, and by any form of legislation do this, could they do it without using words which clearly indicated or plainly expressed their intention? Here as has been before said, such expression of intention is wanting.

This reasoning, and I believe it to be sound, has conducted me to the conclusion that the Reservation in the Resolution and Deed of Cession aforesaid, and the grant made in pursuance thereof, did not, and could not, deprive the Illinois Officers and Soldiers of the benefits of the general bounty laws of the State.

III.

The volunteers who first marched out under Col. Geo. Rogers Clarke,

1833. and continued in service with him until the British Posts, Kaskaskia and Vincents, were taken, became thereby entitled, each of them to the 200 acres of land offered by the Acts of 1779. Many of these volunteers were discharged immediately after the service rendered, and did not serve 3 years. Those of them who continued under General Clarke, and enlisted in the Illinois Regiment for the war, were entitled to the highest bounty in land offered to Soldiers for the war in *lieu of all former bounties*.

The words of the Act are: "Every Soldier who enlisted in the Corps of Volunteers, Commanded by Col'o Geo. Rogers Clarke, and continued therein until the taking of the several Posts in the Illinois Country, shall, at the end of the war, be entitled to a grant of 200 acres of any unappropriated land within the Commonwealth." Plainer words could not have been used. This law was the first which gave land bounty to the State Troops. The bounty given thereby to soldiers of the S. line, including the Illinois troops, was 100 acres; and that to the aforesaid Volunteers was 200 acres. There was good reasons for this difference. The men who penetrated the Wilderness and encountered at every step of their progress, toils and dangers which no other portion of the State Troops encountered, and who deprived the enemy of his strong holds which had afforded shelter to the merciless Indian, deserved some reward. But it is almost idle to speak of the reasons of this law, when the language of it is so plain. *Thus the Law is written*—seems to be all that is necessary to be said on this part of the subject.

I have presented, in the foregoing remarks, my view of the case, which has been referred to me, from which it appears that the Illinois officers and soldiers were enlisted prior to the grant of 150,000 acres, to the full benefit of the land bounty Laws—that the Illinois *Volunteers* were entitled to 200 acres of land each under the act of 1779, provided they claimed nothing under the subsequent land bounty laws.

That the grant of 150,000 acres did not and could not deprive either of them of these their just rights, and that it not only did not deprive them of any of their just rights, but gave them additional rights, and conferred greater benefits (although this grant had been promised to the Illinois Volunteers only, it was made to them and to the *officers and soldiers of the Illinois Regiment*). (See the Deed of Cession before referred to.)

I have been thus full, because the question submitted, is really of considerable importance, and the decision of it, one way or the other, will affect the rights of many individuals whose claims for land bounty are now or may hereafter be brought before the Executive.

In conformity to them I report the claim of Taylor's Heirs as one which ought to be allowed.

I believe these views are correct, and shall hereafter report to the

Executive the names of all the unsatisfied claimants of land bounty in the Illinois Regiment, and also of the Volunteers aforesaid under Col. G. R. Clarke, if they can be ascertained by documentary evidence.

1833.

Resp'y, &c.,

JOHN H. SMITH.

To the Executive of Virginia.

JOHN H. SMITH TO THE GOVERNOR.

The Petitions of the heirs of *Captain William Gregory* and *Lient. John Gregory*, and of the heirs of *Brigadier-General Hugh Mercer* and *Lient. Samuel Campbell*, have been referred to me with a request that I would examine them and report upon their merits to your Excellency.

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These are claims of the heirs of officers who were slain in battle, or died in the service, and are for additional bounty in land. The question presented to me (and the only question of importance, except that respecting the facts in each particular case) is this: "Are the heirs of officers who entered the service sufficiently early to have served more than six years if they had lived and continued in the army to the end of the war, and who died in the service, entitled to the original and additional bounties which have been offered by the State to officers who served more than six years?"

A few weeks past the claim of the Heirs of an officer named Hawkins, involving this question, was referred to me by the Executive. I then and in that case gave the opinion that the Heirs were entitled to the original and additional Bounties.

The officer having entered the army very early in the war, and died in the service, I have seen no reason to change that opinion. Much as I respect the decisions of the Executive department and the opinions of the honorable members of the Council of State, I must frankly say that I have seen nothing in them to produce a change in the opinion expressed in the aforesaid case of Hawkins' Heirs. They may have diminished the confidence which I had in that opinion, but have not changed the opinion itself.

I proceed to show that the opinion which I have given, is the result of a just and equitable interpretation and a true and honest application of the several land bounty laws of Virginia.

That I may be perfectly understood, I will restate the proposition:

An officer who entered the service of his country in the war of the Revolution, sufficiently early to have served more than six years before the end of the war, and who died in the service, left his Heirs entitled to all the benefits and emoluments under the land bounty laws, to which he would have been entitled if he had lived and served to the end of the war.

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This proposition, if I am not greatly deceived, is susceptible of demonstration.

1st. It is demonstrable on correct principles of interpreting statutes and on general principles of justice.

2nd. It is demonstrable by fair reasoning from analogous cases.

3rd. It is sustained by precedent, that is to say by the decisions of the Executive Department (carries out to their legitimate consequences and conclusions,) through the whole course of Executive actions on this subject.

First.

The proposition is demonstrable on correct principles of interpreting statutes, and on general principles of Justice.

The Legislature had two objects in view in enacting the several land bounty laws. The *first* was to reward the brave officers and soldiers who had fought and were fighting, or should fight the battles of their country, and who had risked and were risking, or should risk all they possessed on earth in the contest for Liberty. The *second* was to offer inducements to these officers and soldiers to continue to serve their country as long as their services should be required, and thereby increase and strengthen the army. The time at which these several laws were enacted, proves that the first mentioned object was the greatest in the view of the Legislature. The first Law giving to the officers and soldiers their *respective proportions of land*, was enacted in October, 1779, *after many of these officers and soldiers had served for three years*. That Law gave to a Captain 3,000 acres of land, to a subaltern 2,000 acres, and to a private 100 acres. The law which gave to the officers an addition of one-third of the former bounty (to-wit, to Captains 4,000 acres instead of 3,000 acres, and to subalterns 2,666 $\frac{2}{3}$ instead of 2,000 acres), was enacted in October, 1780—at still later period, and consequently *after the service had been rendered in very many instances*.

In like manner the act of May, 1782, which promised the addition of one-sixth of all former bounties for every year's service over six years, was enacted *after many officers and soldiers had served more than six years*. To all such officers and soldiers the original and additional bounties were intended *as rewards*. They never were intended as rewards also to all officers and soldiers who were then continuing to perform similar services, or should thereafter continue to perform them. It is true also that the Legislature, by offering inducements to citizens to enter the service and to continue in it, intended to increase and strengthen the army. These were the two objects of all the land bounty Laws. In giving the additional bounties, the chief object of the Legislature was to *reward* the officers and soldiers of the Revolution for services which they had performed and were performing. I have said that the date of these laws proves this. They were passed after the services were rendered in very

many instances. The act of May, 1782, was enacted at a time when, in Virginia at least, the war was virtually at an end. After the surrender of Lord Cornwallis at York the war virtually ended in Virginia. The Regiments were reduced and consolidated, and there were many supernumerary officers anxious and waiting for employment. The opinion, therefore, seems hardly plausible that the act of May, 1782, passed a few months before the signing of the preliminary articles of peace, offered the additional bounty of one-sixth of former bounties solely, or even chiefly, with a view to retain both officers and soldiers in service. But whatever may be supposed to have been the views and objects of the Legislature (and whether I am right or wrong in my ascription of motives to the Legislature) in enacting their laws, it is obvious that on general principles of interpretation of statutes, and on principles of Justice, these Laws ought to be construed *liberally*. They were remedial Laws—beneficial in their operation, intended for the good of the Commonwealth, and bestowing benefits on a numerous and deserving class of Citizens who had rendered, and were rendering, important services to the Commonwealth. They were enacted in a spirit of liberality, generosity, and gratitude. They did not place the Commonwealth on the one side and the citizen on the other, to settle the preliminaries and agree upon the terms of a contract, each party taking all advantages and striving to get the best of the bargain. They contained promises of rewards, voluntarily made by the Commonwealth. They were, in truth and in fact, deeds of gift. The original bounty, and the additional bounties which were given—I mean the addition of one-third to the officers and afterwards the addition of one-sixth of all former bounties to officers and men—were as to those officers and men who *had rendered their service before the passage of the Laws offering these bounties*, to every intent and purpose, *gratuities*, or gifts, or, speaking emphatically and in the language of the Laws themselves, *Bounties*. They who had died in the service had performed their duties and rendered their service before the enactment of these Laws. A liberal interpretation will give them the benefit of these laws.

Again—officers who entered the service were bound *for the war*, not for 3 years or any limited or specified time, but for the war. Is it not then just and right that *death in the service* should be regarded as a discharge, and the most honorable discharge for the war? The terms of engagement of the officer were—that he would serve his country in the Field for and during the war. He has been slain in Battle. Ought not his Heirs to enjoy all the benefits which he would have enjoyed if he had lived to perform faithfully all his engagements? The honorable members of the Council of State in their advice upon the petitions of the Heirs of Captain William Gregory and Lieutenant John Gregory, do freely and fully admit that the Heirs ought to enjoy these benefits. The following is the language of the advice:

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“The Council, guided by an *equitable construction of these statutes*, and desirous of awarding to such as have been martyrs in their country's cause, whatever could be rightfully bestowed, have *uniformly in such instances* (of claims under the bounty laws prior to 1782) granted to the Heirs whatever the Auditor would have justly claimed under the terms of his engagement with the State.”

The terms of his engagement were (if he was an officer) for and during the war. It is true the honorable members of the Council make this admission only as to claims to the original and first additional bounties, but, as I shall hereafter shew, the admission puts an end to all contest about the matter and lets in the Heirs of deceased officers (who entered the service early and died in the service), to the enjoyment of all the benefits of all the land Bounty Laws.

Supported by the rules and principles which govern the interpretation of remedial statutes, and by general principles of Justice, I may confidently say, that the Heirs of an officer who entered the service of his Country at the commencement of the Revolutionary War—say January 1st, 1776—who served 2 years and a-half, and was then killed in battle, was entitled to the original bounty (if a Captain) of 3,000 acres of land allowed by a Law enacted after his death, to-wit, in 1779, and which promised the bounty for actual services performed, or to be performed. He was entitled also to the addition of 1,000 acres (or $\frac{1}{3}$ of the former bounty) allowed by a Law of a still later date (October, 1780,) and consequently enacted after his death, which Law, in like manner, promised the additional bounty for actual services performed, or to be performed; and he was also entitled to the addition of one-sixth of all former bounties promised by the Act of 1782, passed after his death, and which act allowed the bounty for services performed, or to be performed. The Heirs of this officer are entitled to all these bounties, because the land Bounty Laws ought to be construed liberally and equitably; because the officer was bound for the war; because it was not through any default of his that he did not serve to the end of the war; because he did all in his power to serve his country; because the act of God which injures us, no man deprived him of the means and opportunity of doing all that his country could have wished or expected of him; because he made the greatest of sacrifices in the service of his country; because death in the service is a discharge, and the most honorable discharge for the war—be it long or short; because having his discharge for the war, his Heirs have a right to expect all bounties in land which were offered to them who served to the end of the war. Although he may not have lived and served long enough to have earned a title to any one of the bounties offered by Law, equity will give his Heirs all of them. If his Heirs are entitled to any, they are entitled to all; and that they are entitled to the original and first additional bounties, seem

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to be on all hands admitted. If an equitable construction and application of the Statutes is once resorted to, it must prevail throughout; and if the Heirs ought to have the original and additional bounty for three years (for which their ancestor did not serve because he was killed) they ought to have all the bounties for a service during the war, calculating his time of service from his entrance into the army to the end of the war. This is Justice; this is equity; everything short of this is a parrying and warding off the just claims of the Descendants of those who have fought and died in the service of their country.

Second.

Fair reasoning from analogous cases will lead to the same conclusion, and establish incontrovertibly the proportion which I am endeavoring to maintain.

The analogous cases to which I allude are:

1st. That of a *supernumerary Officer*. He is entitled to all the emoluments (daily or monthly pay, rations, &c., excepted) of an Officer *in actual service*. A Captain who entered the army in July, 1776, and became supernumerary in June, 1779, and so continued to the end of the war was entitled to all the emoluments in bounty land and half pay for life or five years' full pay in lieu thereof, that an Officer would have enjoyed who entered the army at the same time with himself, and continued in service to the end of the war. He did not actually render the service, but a liberal interpretation of the Statutes gives him his original and additional bounties and his half pay or five years' full pay. Such Officers have always received these benefits and emoluments.

2nd. The case of the Invalid. Perhaps the privations which an Officer encountered early in the war, or the severity of the service gradually undermined his constitution and made him an Invalid during the remainder of the war. Perhaps he was wounded in Battle before he had served one year. (He was an Officer at the commencement of the war.) He was carried to the Hospital where he remained, or he was placed in the Invalid Reg't where he remained during the war, neither superseded nor dismissed from the service. Thus situated, he has been considered entitled to his original and additional Land bounties, and to his half pay, or his five years' full pay in lieu thereof.

3rd. The case of the *prisoner of war*. An Officer before he had served three years (or to use rather hard language, before he had *earned his bounty*) was taken prisoner by the Enemy and remained in captivity until the war ended. He was entitled to all the emoluments of an Officer who entered the army at the same time with himself, fought many battles, and served until the Troops were disbanded after Peace.

The original and additional bounties in lands, and the five years' full pay, or half pay for life have been awarded by the constituted authori-

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ties, and by the universal consent of the Country to these three classes of Officers. The laws have been equitably interpreted, so as to embrace their cases. They did not render the stipulated services, but they received the rewards. They were not guilty of any fault or crime; they performed their engagements to the utmost of their ability. They were not deficient in fidelity, patriotism, or valor, and they have not been excluded from the promised bounties. Their Country did not exact from them a strict compliance with the terms of their contracts. The "pound of flesh" was not demanded. The supernumerary, the Invalid, and the Prisoner of War did not, and could not (any more than dead men), fight the battles of the Country; nevertheless, impartial Justice and gratitude bestowed upon them full rewards. If the three classes of Officers were entitled to, and have received the original and additional bounties, I ask, are not the Heirs of Officers who have fallen in battle or died in the service (having entered at the commencement of the war) entitled to their bounties? Is their ar- conceivable differences in the cases which authorizes a different rule of decision, a different standard of Justice, and a different measure of rewards—one rule, one standard, or one measure for the Supernumerary, the Invalid, and the Prisoner of War, and another for the Officer who was killed in battle? The last has given the highest, noblest and best proof of fidelity to the Commonwealth. His sacrifice has been inconceivably the greatest. Will you reward his Heirs with a niggardly hand (you cannot reward him) will you give them less than you give those who (having recovered from their temporary disabilities) are living perhaps in the enjoyment of health, wealth, and every earthly blessing. Will you, with a worse than Shylock temper, exact from them the "pound of flesh," or refuse them the benefit of the bond? An interpretation of the land bounty laws, which would require or countenance such an application of them, or such a proceeding under them, would be too strict. It would be at war with the interpretation and application of them in similar cases, and it would be not an equitable, but a most iniquitous interpretation. I regard the cases of the Supernumerary Officer, the Invalid, and the Prisoner of War, and the case of the Officer who has fallen in battle, as analogous; and the rules applying to one, as applicable to all; and the measure of rewards to one, as the measure of rewards to all.

Third.

The proposition which I am endeavoring to maintain, is *sustained by precedent*, that is to say by the decisions of the Executive department (carried out to their legitimate consequences and conclusions), throughout the whole course of executive action on this subject.

The Executive has given an equitable interpretation to the land bounty laws in all their provisions. It has especially in the case

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ers who died in the service, given this interpretation, and applied
r laws liberally and beneficially. There is no positive provision of
r allowing bounty land to the Heirs of officers who died in the ser-
: before they had served 3 years (nor is there any that I know of in
r of invalids, supernumeraries, and prisoners of war). The Executive
, however, always allowed to the Heirs of such officers, the original
nty (of 3,000 acres for example to a Captain) under the law of 1779,
ich was enacted perhaps after his death, and the *additional bounty* (of
0 acres to a Captain making in all 4,000 acres), and the Law of 1780
o enacted after his death.

These allowances which have been always made by the Executive, are
isive of the question. They were made because the land bounty
ws were liberally interpreted and beneficially applied.

The concession being once made that they are and ought to be so in-
preted and applied, there is no ground left for argument against the
position which I am endeavouring to maintain, and no pretext for a
ference of opinion about it. The deceased officer did not serve for
ee years, yet the Executive has allowed his Heirs the original and
t additional bounties which were offered for *actual services*, and these
owances have in point of fact generally been made for the war. If
y were entitled to the original and first additional bounties, they were
itled *to all bounties* which their ancestor could have claimed, if he had
d and served to the end of the war. The principle which allows one,
ows all.

The equitable interpretation of the statutes which gives the original
l first additional bounties, gives also the one-sixth of all former
nties, if the officer entered the army early enough to have served
re than six years. The same equity exists in both classes of cases.
e deceased officer was bound *for the war*, his discharge is *for the war*,
he ought to be allowed *for the war*. The time to be computed from
time of his entering the army. There can be no equity in allowing
original and first additional bounties, and refusing the one-sixth or
additional bounty. Equity should prevail throughout. Why allow
first bounties, and give no more? Why presume that the deceased
er would have served three years, and would not have served any
ger, but would have resigned, been cashiered, or been superseded
re the end of six years? If you can presume a service of three
rs why not of seven years? Is there anything absurd, incongruous,
rational in it? The officer was bound not for three years, or for
limited or specified time, but *for the war*. If then equity authorizes
requires the presumption that the officer, if he had lived, would
e done his duty and served his country according to his engagements,
authorizes and requires the presumption that he would not have re-
ed, been cashiered, or been superseded, but would have served *to the*

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one-sixth at an early day. Under these circumstances we do not know what was the early interpretation of the Act of May, 1782. It is not a good objection to say that the right to the Land bounties did not accrue before the war ended, and therefore the Heirs of an officer who died in the service could not claim them. This objection is based upon an error in fact and in law. The right did accrue before the end of the war. It accrued when the service was rendered or the officer died. It is true it could not be enforced, the warrant for the land could not be had until the end of the war. But the right vested before, and was to be enjoyed after the end of the war, in same manner as the right to a sum of money or a specific piece of property may accrue now, but payment of the money can not be enforced, nor possession of the property had until the end of three years. The act of May, 1782, and the very section of it which gives the additional bounty of one-sixth, will shew us what was then the opinion of the General Assembly in regard to the time when the title to bounty land accrued. "Sec. IX, and be it enacted, that any officer or soldier who hath not been cashiered or superseded, and who hath served the term of three years successively, shall have an absolute and unconditional title to his respective apportionment of the land appropriated as aforesaid." This law was enacted before the end of the war, and the title to the bounty land (in the cases therein alluded to), accrued before the end of the war.

It is not a good objection to the interpretation of the act of 1782, which I have given, to say that it will open the door to very many applications which will be made by the Heirs of deceased officers. If their claims are just they should be allowed. The Commonwealth cannot complain, that after having waited ever since the Revolution, they now come forward and demand their dues. They come in it is true at the eleventh hour, but they ought to receive full wages, and no one has a right to complain if they do. The privates have hardly ever claimed their addition of one-sixth of former bounties, yet many of them were entitled to it. Is their failure to claim an argument against their title? Shall they too be denied the enjoyment of their rights because they have been heretofore modest and backward in asserting them?

Upon a full view of the questions presented by the petitions of the Heirs of Captain William Gregory, Lieutenant John Gregory, Brigadier-Gen'l Hugh Mercer and Lieutenant Samuel Campbell, which have been referred to me by your Excellency, I am constrained to express the same opinion that was lately given by me in the case of the Petition of Hawkins' Heirs for additional bounty, to-wit: that the Heirs of an officer who entered the service of his Country at the commencement of the war of the Revolution, and who died in the service, are entitled to all the benefits and emoluments (under the land bounty laws), to which he would have been entitled if he had lived and served to the end of the war, that is to say, to the original and additional bounties.

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end of the war; and if the death of an officer in the service of his country (he not having been in that service three years), can give his Heirs title to bounty land (under certain circumstances) for a service of three years, it may also (under other circumstances) give them title to bounty land for a service of seven years. This view of the decisions of the Executive, is however, not the most favorable to my opinion which can with propriety be taken. The true state of the case is this. The Executive has often decided that officers who died in the service should be allowed land *for the war*. If they were in service early enough to have served more than six years before the war ended, they were under these decisions of the Executive entitled to their one-sixth additional bounty, because the war lasted more than six years. If they have not actually received it, it was because the Executive did not inform the Register of the *commencement of their time of service*, or because the Register chose to think that an allowance *for the war meant an allowance for three years*.

If the foregoing remarks do not present an impartial and clear and correct view of this subject, it is because I am incapable of presenting such a view of it.

It is not a sufficient objection to the interpretation which I have given to the several land bounty Laws, and especially to that of May, 1782, to say that the law of 1782 was enacted *after the officer was in his grave*. So were the acts of 1779 and 1780, yet his Heirs were allowed bounty under them.

It is not a good objection to say that the act of 1782 was enacted for the benefit of those who should render *actual service* as officers, non-commissioned officers, or privates. So were the laws of 1779 and 1780, and the Heirs of deceased officers have been remunerated under them. Besides this, it may be said that the act of 1782 shews on its face that it was enacted, *in part at least*, for the benefit of such officers and soldiers as had *served more than six years* (and officers who died in the service at the commencement of the war stood in equity on this footing). The words of the law are: "May have continued, or shall hereafter continue, in service beyond the term of six years," &c.

It is not a good objection to say that the early understanding of the act of 1782 was not that for which I am contending.

The officers were not generally informed of their rights under the act of 1782 at an early period. Some of them received their bounty land in the year 1782, and not being acquainted with the provisions of that Law, or not esteeming the bounty offered by it worth claiming, they did not assert their rights under it.

They were then satisfied with their first bounties, and appeared after a lapse of many years, and claimed the *one sixth* to which many of them were justly entitled. *The Heirs of deceased officers* were not generally forward in claiming *any bounty*, and perhaps none of them claimed the

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one-sixth at an early day. Under these circumstances we do not know what was the early interpretation of the Act of May, 1782. It is not a good objection to say that the right to the Land bounties did not accrue before *the war ended*, and therefore the Heirs of an officer who died in the service could not claim them. This objection is based upon an error in fact and in law. *The right did accrue before the end of the war.* It accrued when the service was rendered or the officer died. It is true it could not be enforced, the warrant for the land could not be had until the end of the war. But the right vested before, and was to be enjoyed after the end of the war, in same manner as the right to a sum of money or a specific piece of property may accrue now, but payment of the money can not be enforced, nor possession of the property had until the end of three years. The act of May, 1782, and the very section of it which gives the additional bounty of one-sixth, will shew us what was then the opinion of the General Assembly in regard to the *time when the title to bounty land accrued*. "Sec. IX, and be it enacted, that any officer or soldier who hath not been cashiered or superseded, and who hath served the term of three years successively, shall have an absolute and unconditional title to his respective apportionment of the land appropriated as aforesaid." This law was enacted *before the end of the war*, and the title to the bounty land (in the cases therein alluded to), accrued before the end of the war.

It is not a good objection to the interpretation of the act of 1782, which I have given, to say that it will open the door to very many applications which will be made by the Heirs of deceased officers. If their claims are just they should be allowed. The Commonwealth cannot complain, that after having waited ever since the Revolution, they now come forward and demand their dues. They come in it is true at the eleventh hour, but they ought to receive full wages, and no one has a right to complain if they do. *The privates* have hardly ever claimed their addition of *one-sixth of former bounties*, yet many of them were entitled to it. Is their failure to claim an argument against their title? Shall they too be denied the enjoyment of their rights because they have been heretofore modest and backward in asserting them?

Upon a full view of the questions presented by the petitions of the Heirs of Captain William Gregory, Lieutenant John Gregory, Brigadier-General Hugh Mercer and Lieutenant Samuel Campbell, which have been referred to me by your Excellency, I am constrained to express the same opinion that was lately given by me in the case of the Petition of Hawkins' Heirs for additional bounty, to-wit: that the Heirs of an officer who entered the service of his Country at the commencement of the war of the Revolution, and who died in the service, are entitled to all the benefits and emoluments (under the land bounty laws), to which he would have been entitled if *he* had lived and served to the end of the war, that is to say, to the *original and additional bounties*.

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There is no evidence filed with the Petition of General Mercer's Heirs, or that of Samuel Campbell's Heirs, of the time when they respectively entered the service. The Petitioners should produce this evidence before their claims can be allowed.

There is evidence accompanying the Petitions of Wm. Gregory's and John Gregory's Heirs for additional bounty, which were presented and acted upon some time in the year 1833, of the time when the said Wm. Gregory and John Gregory entered the service. I have not those papers before me, but my memory tells me that these Officers entered the service *very early in the war*. If they did, their Heirs will be entitled to the additional bounty which they ask. The Secretary of the Commonwealth, in whose custody these papers are, can inform your Excellency of the dates of the Commissions of Wm. & John Gregory, or of the times when they entered the service.

I am, &c.

The deposition of Thomas Cropper, aged seventy years and upwards, deposeth and saith: That he was well acquainted with Col. John Cropper. That the said John Cropper was, at the commencement of the Revolutionary war, commissioned a Captain in the 9th Virginia Regiment on Continental establishment, commanded by Col. George Mathews. That the said John Cropper marched with the said 9th Regiment from Accomac County, Virginia, in the winter of the year 1776, to join the American army under General Washington, then quartered in the city of Philadelphia. That the said John Cropper, early in the war, was promoted to rank as a Major in the 5th Virginia Regiment, and was at the battle of Brandy-wine. The said John Cropper, with 100 men, on or near the field of battle, in a piece of woods and brush that had been cut down, and between midnight and daybreak, hoisted a red handkerchief on a ram-rod and marched to Chester, in Pennsylvania, where they met General Washington and Gen'l Woodford on Chester Bridge, when Gen'l Washington embraced the said John Cropper and expressed his approbation of his conduct. The said John Cropper was then promoted to rank as Lieut.-Colo. of the 7th Virginia Regiment. Soon after this Gen'l Woodford obtained leave of Gen'l Washington to go to Virginia on furlough, and the said John Cropper was appointed to take charge of Gen'l Woodford's division, which was then in winter quarters. Whilst the said John Cropper was with this division of the said Gen'l Woodford in winter quarters, the Marquis De Lafayette, Major-General, and his two aides, came by night, having the countersign, were admitted into the quarters of the said division, where the said John Cropper was sleeping.

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The said John Cropper awoke, and was proceeding to dress himself and return to his own Regiment, when the Marquis requested that he should remain until the morning; to which request the said John Cropper consented, and in the morning the Marquis De Lafayette aforesaid presented the said John Cropper with a commission appointing him Lt-Colo. comm't of the 11th Virginia Reg't, in which capacity the said John Cropper served until the fall of the year 1778, and was at the battles of German Town, Brandy-wine, and Monmouth Court House. In the fall of 1778 the said John Cropper returned to Virginia under a furlough from General Washington of 190 days, as well as this deponent can now recollect. That soon after the arrival at home of the said John Cropper, the deponent thinks in the year 1779, the Tories of the County Accomack came forward in force to oppose a draft for soldiers to go to the army, which draft was to be held at the courthouse of said county Accomack. The said John Cropper, with several staunch Whigs, prepared a brass cannon and some small arms and dispersed the Tories, and the Draft was completed.

About the same time the County of Accomack was invaded by the British in Barges from New York, on the shores of the Atlantic and Chesapeake Bay, and plundered the inhabitants and carried off their wives and burnt their houses. Intelligence had been conveyed by the enemy to the said John Cropper, that they intended to burn his house and destroy his property, as he was considered a dangerous enemy to them, and was a Continental Officer. Notwithstanding the great vigilance and guard kept by the said John Cropper, the enemy, when least expected, with muffled oars and landing at an obscure place in the dead of night, marched to his house, and with fixed bayonets blocked the door to prevent his escape. The enemy then entered the house, and having demanded liquor to be given them, they set in to drinking, and the said John Cropper, watching an opportunity, slipped out at a back door in his shirt and drawers, leaving his wife and infant child at the mercy of the enemy. After running a circuitous course of about two miles, he reached a neighbor's house and obtained a man and a musket, with which he returned to his own house.

On his way home, the man got alarmed and threw down his gun and ran away. The said John Cropper then proceeded by himself into the yard, and, discharging his two guns, cried out, Come on, my brave boys. The enemy fled, having first plundered the house of all the bed clothes and other portable articles, and stripped the covering off the bed of said John Cropper's wife and child, and with swords and boarding pikes broke the large glasses and split the mahogany dressing drawers and other valuable furniture. Broke open the meat house and carried off the provisions, and marched off several valuable slaves, and, when the said John Cropper fired in the yard, the enemy were setting

1834. fire to the dwelling house. Such at this time was the exposed situation of the County of Accomack; being beset on all sides by the British and Tories, it became necessary to find an Officer who had seen service, and was better qualified to take the command of the Militia of Accomack than the Officer at that time in command.

The Governor of Virginia appointed the said John Cropper Lt.-Col. Comm't of the militia of Accomack. The said John Cropper having obtained the permission of Gen'l Washington to take command of the militia of Accomack and defend it from the encroachments of the British and Tories, and the deponent firmly believes that he has seen in the possession of the said John Cropper a letter from Gen'l Washington to this effect, directed to the said John Cropper. This deponent feels confident that the said John Cropper never resigned his commission as Col. of the 11th Virginia Regiment in the Continental army, for the deponent is positive that he has seen his commission as Col. of the 11th Reg't in his possession since the war of the Revolution was ended. This deponent well remembers that all the commissions in the possession of the said John Cropper were put in separate silken cases or bags of different colours, and were often shewn to this deponent, and were treasured up by the said John Cropper as mementos of his services and love of Country.

The said John Cropper whilst acting as commander of the militia of Accomack, which command was continued until the end of the war of the Revolution, was engaged in three several battles with the enemy. The first was with the crews of several barges, who landed on a marsh and were proceeding to the main land. The said John Cropper, with his men, commenced a fire upon them. At the first fire, the Militia, under the command of the said John Cropper, run and hid themselves in the woods, except one black man, who stood by the said John Cropper until he and the negro were nearly surrounded by the enemy. In attempting to retreat, the said John Cropper sunk in the mud, and the negro took him on his back and carried him to firm ground. The second engagement was with a large privateer schooner from New York, commanded by Captain Morris, who landed his crew on an Island near the main land, with a design to kill the Stock on the Island.

The said John Cropper, with a company of Militia, put on board a large scow a brass cannon, and went down to the Island and beat Morris and his men in a fair fight. The wind having suddenly shifted, blew the privateer out of the harbour, and being perforated with cannon shot between wind and water, she disappeared, and was supposed to have sunk with her crew. The third battle was with Commodore Whaley in the barge Victory, on the 30th of November, 1782.

The said John Cropper, with about 30 or 40 of the most respectable inhabitants of the Counties of Accomack and Northampton, volunteered

CALENDAR OF STATE PAPERS.

and went on board the Victory to engage Commodore Kid's fleet of Barges, then cruising in the Chesapeake Bay.

On the 30th of November, 1782, the engagement commenced with nearly an equal number of Barges on both sides. At or before the commencement of the engagement, the American Barges, which were from the State of Maryland, run off and left Commodore Whaley in the Victory to oppose the whole of Commodore Kid's Barges, 5 in number, as well as I can now recollect.

The Victory defended herself gallantly, although she was surrounded and boarded on all sides by the enemy. In the heat of this action, the Victory's Magazine took fire, and she blew up, leaving the Commodore dead on deck, and sixty-nine of her crew killed and wounded. The said John Cropper, in this engagement, was, hand in hand, engaged with a British sailor, who was armed with a cutlass, and a negro man armed with a boarding pike. The said John Cropper defended himself with a musket and bayonet, and, whilst in the act of warding off a thrust from the negro with the boarding pike, the sailor struck the said John Cropper on his head with his cutlass, and inflicted a long and deep wound to the bone. At this moment, the black man cried out, hold to the sailor, don't strike him again, it is my young Master we are contending with.

Those of the Americans who survived this engagement, nearly all of whom were wounded, were put on board of Commodore Kid's Barge, and whilst the said John Cropper was lying with the wounded, a Scotchman, whose under jaw had been shot away, in agony, crept to a four pound rammer, taking it up, struck the said John Cropper on the head near the place where he had been wounded, and deprived the said John of his life and senses for sometime. This deponent further states that the said John Cropper whilst in the American Army was subjected with other Officers to the necessity of calling on their friends and patrimony for pecuniary aid. The paper money having depreciated so much that it would take several hundred dollars to purchase a small necessary article of either food or clothing.

The Uncle of the said John Cropper supplied him with specie to a large amount, so that when the said John Cropper returned from the Army and repaid his Uncle George Corbin, Esq., for the money he had advanced him, together with the loss of his property taken from him by the enemy, and nearly the total loss of the produce of his real estate, it being situated directly on the Atlantic Ocean accessible every moment to the enemy; neither white men nor slaves could remain on these lands to make crops, so that at the end of the war the said John Cropper had nothing left except a naked farm, without means or force to cultivate it. What little bed clothes and valuable articles that remained not plundered by the enemy, was obliged to be hidden in the swamps, and there remained

1834. until they rotted. This deponent states that he was an eye witness to many of the facts stated in this deposition, and further this deponent saith not.

THOMAS CROPPER.

10th January, 1834.

This day the within named Thomas Cropper whose deposition is hereto annexed, appeared before me, John G. Joynes, one of the Commonwealth's Justices of the peace for the county of Accomack, and made oath that all the facts set forth in his deposition are true to the best of his knowledge and belief.

Given under my hand and seal this 15th day of January, in the year one thousand eight hundred and thirty-four.

JOHN G. JOYNES. [SEAL.]

ANDREW STEVENSON TO THE GOVERNOR.

Feb. 24,
Washington

I duly received your letter of the 13th (post marked the 19th), covering the Resolutions of the General Assembly of Virginia upon the subject of the removal of the Deposits, and the unconstitutionality of the Bank of the U. States. I should have contented myself with the simple acknowledgement of the receipt of these resolutions but for the manner in which they have been communicated by you, and a wish to prevent my own opinions from being misunderstood. You are pleased to say in your letter addressed to me that the withdrawal of the public moneys from the Bank of the U. States has been the cause of inflicting deep and lasting injury upon the people of Virginia, and that the act by which it was done was a dangerous and alarming assumption of Power on the part of the President, manifesting a disposition to extend his official authority beyond its just and proper limit. In these opinions as well as those of a kindred character expressed in the Resolutions of the General Assembly, I not only do not concur, but entirely dissent from. I do not deem it needful, nor would it be proper at this time and in this form to enter into the discussion of these grave and important questions; nor shall I attempt to trace out the causes which have produced the ruin and distress of which you speak, but of one thing I am quite sure, that the present state of things has neither been caused by the removal of the public monies from the Bank of the U. States nor by the course pursued by the Executive towards that Institution. They are probably more justly attributed to other causes connected with the transacting of the Bank itself, both before and since the removal took place.

In relation to that part of your letter which can only be regarded as a direct censure upon the conduct and motives of the President of the U. States, I have but a simple remark to make, and it is this, that if the

public conduct of any man ever presented a pledge for sincerity of motive and purity of patriotism, that pledge is to be found in the unwavering principles and conduct of the present Chief Magistrate; than whom I believe a more faithful and disinterested votary, public liberty never had; and in whose civil majesty, the Constitution and Union of his country have been justly regarded as the only basis on which our free institutions could safely rest. I must be excused, therefore, for withholding my assent from the censure which has been cast on this distinguished and venerable citizen.

1834.
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Washington

In receiving, however, as I do the Resolutions of the General Assembly of my native State with the respect that is due to them, and giving to them the consideration they merit, I might be permitted to doubt whether they express the public voice of Virginia. Indeed I think it more than probable (if what I hear be true) that the General Assembly have mistaken the opinions of the people of the State upon this important subject, which has arisen since its members were elected, and in relation to which the deliberate wishes of their constituents have not been fully made known. This, however, is a matter for the Legislature and their constituents. In declining to comply (as I respectfully shall do) with the request which the General Assembly have addressed to me as one of the Representatives from Virginia in the National Councils, I beg it to be understood that I do not mean to question the right of instruction, either on the part of the Legislature to Senators or the people to their Representatives. Far from it. I regard this right as the vital principle of our free institutions, and highly important to the security and protection of the State government, and so long as the Federal Government shall be administered by Representatives chosen by the unbiassed voice of a majority of the people, and subject to their instruction, Liberty will be enjoyed in its highest degree! Acknowledging this right my conduct shall be (as it has ever been) regulated by it, but in the absence of instructions from a majority of those who have honored me with their confidence, I shall feel myself at liberty to discharge my duty in the manner that I think right, and best calculated to promote the safety, honor, and prosperity of my country.

I am, &c.

JOHN M. PATTON TO THE GOVERNOR.

I have received your letter of the 13th Instant (Post marked the 19th), purporting to have been written in compliance with the request of the General Assembly of the Commonwealth of Virginia, and enclosing the Resolutions of that body which you describe as "disapproving the recent

Feb. 25,
Washington

1834.
Feb. 25,
Washington

act of the President in withdrawing and withholding the Public deposits from the Bank where they have been placed by law."

You have thought proper to add to the request contained in one of those resolutions, addressed to the representatives of the people of Virginia in this House, your own hopes as to certain objects to which you expect my "efforts and exertions" to be directed.

Protesting against your official right thus to communicate your official wishes and expectations, I beg leave to assure you that my efforts and exertions will on all proper occasions be used for the purpose of restraining and rebuking a disposition manifested by the President or any other Executive Officer of this government or that of Virginia, "to extend his official authority beyond its just and proper limits."

The opinions and request of the Virginia Legislature are entitled to and have received my most respectful consideration. I sincerely regret to find that I differ with them widely and fundamentally. As your letter and their request are officially written and expressed, I consider the proper mode and place to answer them to be in my representative character and on the floor of this House. I shall avail myself of the first opportunity to do so.

I am, &c.

IN THE HOUSE OF DELEGATES, Feb'y 26th, 1834.

The House of Delegates have this day, by joint vote with the Senate, elected Benjamin Watkins Leigh, Esq'r, a Senator to represent this State in the Congress of the United States, to supply the vacancy occasioned by the resignation of William C. Rives, Esq'r.

GEORGE W. MUNFORD, C. H. D.

GEO. LOYALL TO THE GOVERNOR.

Feb. 26,
Washington

I received on Friday last your letter of the 13th Inst., postmarked the 19th, addressed by the General Assembly, "disapproving," as you say, "the recent act of the President in withdrawing and withholding the public deposits from the Bank where they had been placed by law."

Looking as I have ever done for encouragement and support to the position taken by Virginia upon all questions of constitutional power, I deeply regret that I am unable to see in the Resolutions adopted on this occasion, a true exposition of that political faith to which for a period more than thirty years with a few trifling exceptions, she has steadily adhered. With due deference for the General Assembly, I have been led by mature consideration and a sense of duty to conclusions widely

differing from the positions assumed in the paper which you have been requested to transmit to me. The gratuitous denunciation of Executive usurpation in regard to the public Deposits with which you have thought fit to accompany the Resolutions of the General Assembly, has no authority to impair the force of opinions however erroneous, still honestly and deliberately formed, and upon which I shall feel myself at liberty to act, unless required to do otherwise by a majority of those whom I have the honour to represent.

1834.
Feb. 26.
Washington

I am, &c.

JOHN Y. MASON TO THE GOVERNOR.

I have the honor to acknowledge the receipt of yours of the 13th Inst., covering the Resolutions of the General Assembly of Virginia condemning the removal and requesting to support all proper measures for the restoration of the public Deposits to the Bank of the United States.

Feb. 28,
Washington

Disposed at all times to regard with the most respectful consideration the solemn expression of the Legislative will of my native state, and unless restrained by a sense of duty to my constituents to yield it obedience, I cannot but regret that my judgment has conducted me to very different conclusions from those exposed in the three first Resolutions.

I have not been able to discover the disposition of the President of the United States to transcend the limits of his constitutional authority which seems so clear to your Excellency.

I am, &c.

C. F. MERCER TO THE GOVERNOR.

My recent ill health and consequent confinement, will, I trust, plead my apology for not earlier acknowledging the receipt of your letter of the 13th of February, covering the Resolutions of the General Assembly of Virginia, relative to the conduct of the President of the United States in causing the public deposits to be removed from the place of safe keeping prescribed by law.

March 6,
House of
Rep.

The General Assembly, whose opinions I shall always regard with the highest respect, may be assured that I will, with becoming zeal, cooperate with a large majority of my colleagues in endeavoring a restoration of the public money to the Treasury of the United States.

I am, &c.

1834. Virginia—City of Richmond, to-wit:

This certifies that Littleton Waller Tazewell, duly elected Governor of the Commonwealth of Virginia, this day qualified by taking the oaths of office prescribed by law before me.

Given under my hand and seal, this thirty-first day March, eight hundred and thirty-four.

JOSEPH TATE, Mayor. [SEAL.]

The Reports of Jno. H. Smith, Commissioner, on the state of account between the State of Virginia and the Government of the United States for the war of the Revolution, dated, one August 20th and the other September 1st, 1834, can be found in the House Journal for 1834. Doc. 35, pp. 15 and 16. Originals in the package of Sep., 1834.—ED.

No papers for the year 1835.

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